

EXPORT AND IMPORT ACT 1995 (ACT 503)

Section 1-Conditions for Export.

Any person may export goods from Ghana for commercial purposes if that person

- (a) completes an Exchange Control Form A2 endorsed by a bank in Ghana in the case of traditional export goods; or
- (b) completes a Ghana Export Form in the case of non-traditional export goods.

Section 2-Exchange Control Form A2 for Traditional Export.

- (1) An exporter of traditional export goods shall submit the completed Exchange Control Form A2 to the Commissioner of Customs, Excise and Preventive Service at the time of exportation.
- (2) An Exchange Control Form A2 shall be used for only one export transaction.
- (3) An Exchange Control Form A2 shall be valid for three months from the date of endorsement by a bank and may be renewed by the approving bank for a further period of three months, after which it shall expire.
- (4) An Exchange Control Form A2 in respect of overland export of logs and unprocessed lumber shall be valid for one month only from the date of endorsement by the bank and is not renewable.
- (5) Each consignment of traditional export goods shall have in respect of it a sales contract or export order specifying the quantity, value, terms of payment and a complete description of the goods to be exported.

Section 3-Ghana Export Form for Non-Traditional Export.

An exporter of non-traditional export goods shall submit the completed Ghana Export Form to the Commissioner at the time of exportation of the goods.

Section 4-Traditional and Non-Traditional Export.

- (1) For the purpose of this Act, traditional and non-traditional export goods shall constitute the goods specified in the Schedule to this Act.
- (2) The Minister may by legislative instrument revise the categories of goods which constitute traditional and non-traditional exports, and may for the purpose amend the Schedule to this Act.

Section 5-Exemption from Exchange Control Form A2 Ghana Export Form.

Notwithstanding any provision of this Act, the Minister may by legislative instrument exempt such categories of goods as may be specified in the instrument from the requirements of Exchange Control Form A2 or Ghana Export Form.

Section 6-Compliance with other Enactments.

Where an exporter is required under any other enactment to obtain a permit, licence or certificate for the exportation of any category of goods, that person shall produce to the Commissioner at the time of exportation a certified copy of the permit, licence or certificate in addition to any other documentation required to be furnished or produced under this Act.

Section 7-Conditions for Import.

(1) Any person may import goods into Ghana for commercial purposes if that person completes an Import Declaration Form.

(2) An importer shall submit one copy of the completed Import Declaration Form

(a) to the inspector appointed under this Act to conduct destination inspection of the imports". [As substituted by Export and Import (Amendment) Act, 2000 (Act 585) s. 1]

(b) to the Commissioner and any other agency which may be specified on the Form after shipment.

(3) No importer shall be permitted to take delivery of any commercial import unless he has complied with subsection (2) of this section.

Section 8-Exemption from Import Declaration Form.

Notwithstanding section 7 of this Act, the Minister may by legislative instrument exempt such categories of goods as may be specified in the instrument from the requirement of Import Declaration Form.

Section 9-Destination Inspection.

For the purpose of ensuring that the quality, quantity, price and other specifications of import goods are in conformity with the particulars on the Import Declaration Form, invoice and any other document relevant to goods, all commercial imports shall be subject to destination inspection of the goods at the port or point of clearance in the country.[As substituted by Export and Import (Amendment)Act, 2000 (Act 585) s.2]

Section 9-Gateway Pass and Final Valuation Report.

(1) After the inspection under Section 9 the inspector shall issue a Final Classification and Valuation Report containing the particulars for the assessment of the customs value and tariff classification of the goods to the importer.

(2) The Final Classification and Valuation Report shall be transmitted to the Customs, Exercise and Preventive Service by the inspector.

(3) The inspector shall where satisfied that the goods are goods permitted to be imported into the country under this Act or any other enactment, issue a gateway pass to the importer.

(4) An inspector shall issue a gateway lock,

(a) if the goods are not in conformity with the particulars of the Import Declaration Form; or

(b) where the goods are not permitted to be imported into the country under this Act or any other enactment.

(5) Goods with a gateway lock shall not be cleared unless specifically authorised by an inspector.

(6) Subject to subsection (5),

(a) uncleared goods under a gateway lock shall be re-exported by the importer; and

(b) any importer who fails to re-export uncleared gateway locked goods within 60 days from the date of the issuance of the gateway lock commits an offence.

Section 9-Destination Inspection Fee.

(1) The importer shall pay an inspection fee in respect of the destination inspection.

(2) The inspection fee shall not exceed one percent of the total dutiable CIF value as the Minister may by legislative instrument prescribe.

Section 9-Exemption.

Notwithstanding any provision of this Part, the Minister may by legislative instrument, exempt such category or value of commercial import as may be specified in the instrument from the requirement of destination inspection. [As inserted by Export and Import (Amendment) Act, 2000 (Act 585) s. 2]

Section 10-Appointment of Destination Inspectors.

The Minister may in writing appoint inspectors to conduct the destination inspection of commercial imports at the port or point of clearance of the goods.[As substituted by Export and Import (Amendment) Act, 2000 (Act 585) s. 3].

Section 11-Compliance with other Enactments.

Where an importer is required under any other enactment to obtain a permit, licence or certificate for the importation of any category of goods, that person shall produce to the Commissioner a certified copy of the permit, licence or certificate in addition to any other documentation required to be furnished or produced under this Act before taking delivery of the goods.

Section 12-Restriction of Export and Import.

The Minister may, by legislative instrument, prohibit or restrict the exportation or importation of such goods as may be specified in the instrument.

Section 13-Regulations.

The Minister may, by legislative instrument, make regulations

- (a) restricting or prohibiting the export or import of any goods;
- (b) prescribing the categories of goods for which an Exchange Control Form A2, a Ghana Export Form or an Import Declaration Form shall not be required;
- (c) for the destination inspection of goods for import into Ghana; [As substituted by Export and Import (Amendment) Act, 2000 (Act 585) s. 4].
- (d) prescribing the categories or value of goods which are exempted from destination inspection; [As substituted by Export and Import (Amendment) Act, 2000 (Act 585) s. 4].
- (e) prescribing, altering or revoking any fees or charges payable in respect of destination inspection. [As substituted by Export and Import (Amendment) Act, 2000 (Act 585) s. 4].
- (f) to amend the Schedule to this Act; and
- (g) necessary to give effect to the provisions of this Act.

Section 14-Offences and Penalties.

[As renumbered by Export and Import (Amendment) Act 2000 (Act 585) s.5]

Any person who—

(a) exports or imports any goods in contravention of the provisions of any regulation made under section 13;

(b) knowingly makes any false representation in an Exchange Control Form A2;

(c) fails to honour an undertaking given in an Exchange Control Form A2; or

(d) otherwise contravenes or fails to comply with any provision of this Act, commits an offence and is liable on summary conviction to a fine not exceeding five million cedis or to imprisonment for a term not exceeding two years or to both, and upon conviction any goods in respect of which the offence was committed may be seized and forfeited to the state.

(2) [Repealed by Export and Import (Amendment) Act, 2000 (Act 585) s. 5].

Section 15-Interpretation.

In this Act unless the context otherwise requires

“commercial purposes” includes commercial quantities in relation to goods for export or import;

“Commissioner” means the Commissioner of Customs, Excise and Preventive Service;

"Final Classification and Valuation Report" means a report issued by an inspector which contains all the elements necessary for the assessment of the tariff classification by the Customs, Excise and Preventive Service; [As inserted by Export and Import (Amendment) Act, 2000 (Act 585) s. 6(b)]

"Gateway lock" means a document or security label issued by an inspector in respect of imported goods which prevents the goods from being released by the Customs, Excise and Preventive Service;[As inserted by Export and Import (Amendment) Act, 2000 (Act 585) s. 6(b)]

"Gateway pass" means a document or security label issued by an inspector in respect of imported goods for customs clearance.[As inserted by Export and Import (Amendment) Act, 2000 (Act 585) s. 6(b)]

“inspector” means a destination inspector appointed for the purpose of inspecting commercial imports prior to their clearance in Ghana; [As amended by Export and Import (Amendment) Act, 2000 (Act 585) s. 6(c)]

“Minister” means the Minister responsible for Trade.

Section 15-Transitional Provisions.

(1) Any commercial import covered by an Import Declaration Form submitted to a pre-shipment inspector on or before 31st March 2000 shall be subject to pre-shipment inspection by the pre-shipment inspector if the goods arrive on or before the 31st August 2000.

(2) Import Declaration Forms submitted to a destination to a destination inspector on or after 1st September 2000 shall be processed through the destination inspection provided for under this Act.

(3) Clean Reports of Findings issued under the pre-shipment inspection scheme shall remain valid until 31st August 2000.

(4) Any goods that arrive with a valid Clean Report of Finding on or after 1st September 2000 shall be subject to the destination inspection scheme and a new Import Declaration Form shall be filed in respect of the goods.[Inserted and to be cited as Export and Import (Amendment) Act, 2000 (Act 585), s.7]

Section 16-Repeals, Revocation and Savings.



Destination Inspection Department

The Ghana Standards Authority (GSA) was established by NRCD 173 of 1973 and is solely vested with the responsibility for preparing standards for products and processes and for ensuring compliance with Government policies on Standards, Metrology, Standardization, Testing and Quality Assurance of both locally manufactured and imported products and services throughout the country.

In August 2003, the Ghana Standards Authority was mandated by the Ministry of Trade and Industry, PSD/PSI to take over the inspection of all High Risk Goods (HRGs) from the Inspection Companies. The Destination Inspection was to be carried out at all the ports of entry in Ghana. The role of Ghana Standards Authority at the ports therefore is to ensure compliance of imported goods with established Technical Regulations and Standards (conformity assessment) in order to prevent the importation/distribution of substandard products into the Ghanaian market.

In furtherance to the objective of the Destination Inspection Programme, the Ghana Standards Authority evolved a new system to ascertain the quality and safety of the products without concentrating on extensive testing that can cause undue delays at the ports of entry.

This system is based on conformity assessment which is defined as a process whereby a product, process, or service or system is evaluated with the object of determining either directly or indirectly that relevant requirements are fulfilled.

The rationales for the introduction of Destination Inspection of HRGs include:

- Consumer protection
- Promotion of fair trade
- Health and safety implications
- Protection of Ghanaian consumers from illegal importation of prohibited or inferior/shoddy goods.

Over the years the Ghanaian market had been virtually flooded with fake goods especially drugs which are sometimes adulterated, expired goods, sub standard goods and improper labeled products.

Procedure for Clearing of High Risk Goods

- All importers of HRGs shall register with the Ghana Standard Board
- Importers shall purchase the relevant applicable Ghana Standard(s)
- Importers shall send declaration to the Ghana Standards Authority through the GCNet.
- All imported HRGs should be accompanied with a Certificate of Analysis (CoA or Certificate of Conformance (CoC) , with reference to the applicable standard specifications) issued by a competent laboratory preferably in the exporting country.
- Failure to provide a CoA/CoC would mean that the consignment could not be cleared until samples of the product have been tested to the applicable standard and found to have satisfied the requirements. The importer shall pay a processing and testing fee to be determined from time to time.
- Upon arrival, the goods shall be subjected to the ff:
 - Visual Inspection of product label and assessment of relevant quality attributes at the point of entry.
 - Depending on the quality status of brand and the risk assessment rating of the Importer and Exporting country, the Inspector may take random samples for verification and review of the rating of brand, exporter and importer.
 - The goods will be released within 48 hours if the following conditions are satisfied:
 - The CoA/CoC is authenticated;
 - The product label conforms to the relevant requirements of the standard;
 - Other documents on the consignment are found to be adequate e.g. permits from other agencies.
 - Customs Excise and Preventive Service (CEPS) shall clear the consignment after the relevant documents have been endorsed by the Ghana Standards Authority (GSA) Inspector.
 - The clearance may be expedited if the importer submits advance samples to GSA for quality evaluation before committing to import.
 - Where GSA is unable to complete Conformity Assessment on HRGs detained for quality checks within 48 hours, the consignment may be considered for provisional release on the understanding that the goods will not be disposed of until the outcome of conformity assessment exercise has been determined. In such circumstances, the Importer or his agent shall apply formally to the GSA for provisional release to a warehouse.

The following information should be provided:

- Photocopies of Bill of Lading, GCNet Provisional approval, Packing List/ Invoice and FCVR.
- Name, Address and contact numbers of the Importer and authorized clearing agent.
- The location address of the Importer's warehouse.
- An undertaking duly signed by the importer or his agent assuring GSA that products released provisionally/conditionally shall not be distributed or sold until GSA issues a final release letter to the importer.

Sampling Exercise at the Ports

RELATED LINKS

- [PRODUCT INSPECTION DEPT.](#)
- [FISH INSPECTION DEPARTMENT](#)
- [DESTINATION INSPECTION DEPT.](#)

NEWS & EVENTS

ISO CEO FORUM, 1ST - 3RD APRIL, 2014 IN ACCRA - The Ghana Standards Authority is hosting ISO Chief Executive Officers Forum in Accra Ghana from 1st - 3rd April, 2014. [Read More](#)

2014 Training Calendar - Training Calendar for the Industrial Support Department for the year 2014 [Read More](#)

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is brought to GSA for laboratory tests and investigation.

Testing of sample is carried out to determine either directly or indirectly that the product conforms to applicable standard. For economic and technical reasons, it is difficult to measure the entire lot, so samples are taken and measured to estimate the mean value and the dispersion of the lot. In order to achieve the degree of accuracy and the precision required for the information, the following conditions must be satisfied.

- The sample should be adequate in relation to the precision required
- The sample should be representative of the lot or population.



GSA Labelling Requirements for Imported Goods

The following are the labelling requirements of GSA as specified in the (L.I. 1541); GSA General Labelling Rules, 1992 with respect to compliance inspection of imported goods:

- a. Label
 - Name of product
 - List of ingredients in food
 - List of active ingredients and their levels in drugs
 - Date of manufacture and Expiry date/Best before date/Use by date in respect of food
 - Date of manufacture and Expiry date in respect of drugs
 - Storage conditions
 - Instruction or directions for use
 - Net content
 - Name and address of manufacturer
 - Country of Origin
 - Date of manufacture
 - Batch/Lot number
 - Electro technical or chemical characteristics for goods other than food and drugs
 - Marks or labels shall be printed, impressed, embossed or stamped.
 - Where marks or labels are stamped, they shall be in indelible ink and legible.
 - The trade mark or brand name shall not be substituted for the name of a food
- b. All information on the label in foreign language other than English shall be translated into English language. Failure to comply may lead to impoundment of such goods/products.
- c. Electric lamps (fluorescent lamps and electric bulbs) shall carry information on Life performance while Electric cables should carry information on the ratings, among others.
- d. All electronic equipments/items and other items where applicable shall carry Guaranty/Warranty information of at least six (6) months.
- e. All electronic equipment/items and instruments shall carry safety information and or safety signs.
- f. Batteries must carry clearly the ratings and type.

Handling/Seizure of NON-Conforming Imported Products

Goods found to be non-conforming to the applicable standard(s) shall be disposed of in accordance with established Customs, Excise and Preventive Service (CEPS) procedures.

List of Broad Groupings of High Risk Goods

- Food Products
- Pharmaceuticals
- Electrical Appliances
- Electrical Products e.g. Bulbs, switches, sockets
- Electrical cables
- Electronic Products
- LPG Cylinders and Accessories
- Toys
- Chemical and Allied Products
- Building Materials
- Used Goods
- Petroleum Products
- Pyrotechnic Products
- Motor Vehicle Batteries
- Alcoholic and Non-Alcoholic products
- African Textile Prints
- Arms and Ammunitions
- Machetes/Cutlass
- Vehicle spare parts
- Industrial Machinery

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DESTINATION INSPECTION PROGRAMME- Inspection of "High Risk Goods"

"High Risk Goods" are goods with serious health and safety implications to the consuming public.

WHAT IS DESTINATION INSPECTION?

- It is the inspection of goods at their points of Destination (Ghana) to ensure compliance to relevant standards.
- A system to ascertain the quality and safety of products without concentrating much on testing which can cause undue delays in clearing of goods at their points of entry.
- A system based on Conformity Assessment through inspection and testing.
- Inspection of selected imports of **"High Risk Goods"**

UNDER THE SCHEME

"It is the responsibility of the importer to declare all relevant standards applicable to goods covered on any **IMPORT DECLARATION FORM (IDF)** and to advise his/her supplier of the same"

Hence, Destination Inspection is an activity to confirm compliance to this requirement.

The Ghana Standards Board is the competent authority mandated to undertake Destination Inspection for and behalf of the Ministry of Trade and Industry.

LIST OF BROAD GROUPINGS OF "HIGH RISK GOODS"

1. Food Products
2. Pharmaceuticals, Cosmetics, Medical Devices
3. Electrical Appliances
4. Electrical Products eg. bulbs, switches, sockets
5. Electrical Cables
6. Electronic Products
7. LPG Cylinders and Accessories
8. Toys
9. Chemicals and Allied Products
10. Building Materials
11. Used Goods eg. Second hand clothing
12. Petroleum Products
13. Pyrotechnic Products
14. Motor Vehicle Batteries
15. Alcoholic and Non-Alcoholic Products
16. African Textile Prints
17. Arms and Ammunition
18. Machetes/Cutlass
19. Vehicle Spare Parts
20. Industrial Machinery

DESTINATION INSPECTION ENTRY POINTS

Contact Numbers for GSB Offices at the Points of Entry

- Accra (+233-21)503450
- Tema Port (+233-22) 201259/200841
- Takoradi Port (+233-31) 28952
- Kotoka Int. Airport (+233-21)766389
- Aflao (+233-962) 31533
- Elubo (+233-3450) 22564

Tema Port

- Shed 10
- Shed 6
- Tema Container Terminal (TCT)
- Maersk Container Terminal (MCT)
- Golden Jubilee Terminal
- Scanners (2)
- Reefer yard
- African Coastal Services (ACS)
- Quay Side
- Meridian Port Services

Kotoka International Airport

- Cargo Handling
- Aviance Warehouse

Takoradi Port

- Platform
- Reefer Yard
- Textiles Inspection Point

Elubo Entry Point

Aflao/Ho Entry Points

- Aflao Baggage
- Aflao Long Room
- Segbe Junction
- Akanu
- Ave Havi
- Batume Junction
- Afegame
- Nyive
- Shia
- Honuta

