

**Executive Regulation of Law No. (10) of 1378 FDP (2010 AD)**  
**on customs**  
**attached to General People's Committee Decree No. (593) of 1378 FDP**

**Prefatory Part**

**Article (1)**

The expressions set forth below shall have the meanings adjacent to them unless the context indicates otherwise:

- a. Law: Law No. (10) of 1378 FDP on customs.
- b. Secretary: The Secretary of the General People's Committee for Planning and Finance.
- c. Administration: The General Directorate of the Customs Authority.
- d. Director: The Director of the Customs Authority.

**Part (1)**

**Import and Export Procedures**

**Chapter (1)**

**Import  
Waybills**

**Article (2)**

Waybills are general or specific lists that clarify the cargo of a means of transport. They shall abide by the following requirements:

- a. Be clear and signed by the sea captain (head of the means of transport). They shall clearly state the name of the means of transport as well as its citizenship, route number, date, types of goods and if they are contraband, quantity of parcels with their labels and numbers, and the names of the shipper, recipient, and the entity from which the goods were shipped.
- b. Include the numbers and contents of each container, the quantity of parcels, and the stamp numbers of the same.

The sea captain (head of the means of transport) shall submit the specific waybill to customs within a maximum of 24 hours of the means of transport's arrival, without counting official holidays. The waybill may be submitted digitally with a statement sent prior to arrival.

**Article (3)**

An addendum to the bills of lading included in the means of transport's shipment but not included in the waybill may be accepted in accordance with the following conditions:

- a. The addendum shall be submitted within 24 hours of the means of transport's arrival attached to an explanation from the sea captain (head of means of transport) of the reasons behind the lack of inclusion.
- b. The addendum shall be signed and stamped by the shipping agency official.
- c. The original bills of lading or copies thereof shall be attached and notarized on or prior to the shipment date.
- d. The containers or parcels shall not have been opened.
- e. If the addendum to the waybill is accepted, it shall be subject to the same rules applied to the waybill.

#### **Article (4)**

Customs shall retain the waybills and documents stipulated in the previous two articles for a period of five years. They may be stored digitally.

#### **Article (5)**

The competent customs employee may perform any modifications to errors found in the waybills before they are recorded in the declaration register. If the request for modification is submitted after they have been recorded in this register, the head of the competent customs office shall have jurisdiction to perform the modification after the payment of the prescribed dues therefor.

#### **Article (6)**

Material errors in the importer's name written in the waybill may be corrected by virtue of a request submitted by the shipping agent on the condition that documents are submitted supporting the validity of the name such as invoices, letters of credit, etc. The name in the waybill may be modified without being considered an omission of the inclusion requirements in the following two cases:

- a. If the beneficiary's name is a bank, shipping agency, shipping agent approved by customs, airline, or another means of transport, provided that the documents of ownership over the goods arriving from abroad are under his modified name.
- b. If the bill of lading is included therefor, provided that the documents of ownership over the goods arriving from abroad are under his declared name.

#### **Article (7)**

Modification to the importer's name in the waybills shall be considered relinquishment of ownership in accordance with the regulations determined by the General Director.

#### **Article (8)**

The quantity or weight included in the waybill may be modified in accordance with the following conditions:

- a. A request shall be submitted by the shipping agent, airline, shipping agencies approved by customs, or other transport companies, supported by a document from the shipper abroad justifying the mistake in quantity or weight, prior to the preparation of parcels for inspection.
- b. The aforementioned request shall be attached to the bill of lading and all documents supporting the validity of the quantity or weight, such as invoices, packaging statement, or any other documents that confirm the same.

Modification permission shall be issued by the office head, who shall observe the provisions relating to unjustified deficiency or increase and payment of the prescribed dues.

#### **Article (9)**

Requests submitted by shipping agencies to modify the destination specified in the waybills may be accepted in the following cases:

- a. If the modification of the destination of incoming goods is ultimately to a free zone or special economic zone, with submission of the approval of the economic zone or free zone authority. Shipments for which the customs declaration has not been recorded are excepted therefrom. Shipments may be transferred on the basis of a request by the owners to the final import system

or to another customs system if the conditions are met or if the shipments are reshipped abroad directly through customs.

- b. If the destination of incoming goods is modified to a free zone or special economic zone for final import with the approval of the economic zone or free zone, according to the case.
- c. If the destination of incoming shipments in the transit system is modified to final import and vice versa before being recorded in the customs register.

In all cases where modifications are made after recording in the customs register, the previous declaration shall be deemed invalid.

#### **Article (10)**

a) All goods arriving through the state's land borders must be accompanied by a waybill. The following shall be considered waybills:

1. Land shipment documents issued by a transport company approved by the state as a waybill.
2. Transit statements issued in accordance with the provisions of international agreements organising transport through transit.
3. Export or re-export declarations (or their equivalent for goods arriving from a neighbouring state).

b) Waybills for goods imported through land shall be composed of the following information:

1. The specifications of the means of transport and the number of its country and the country in which it is registered.
2. Name and nationality of owner and driver.
3. Name and address of the shipping sender and recipient.
4. Origin and source of the goods.
5. Type of goods and their total weight, number of parcels or pieces, description of their cover, labels, and numbers.
6. Value of incoming goods whenever possible.

The above provisions shall apply to waybills for goods transferred by land for export.

#### **Article (11)**

The above provisions shall apply to goods arriving through rail transport.

### **Chapter (2)**

#### **Customs Declaration**

#### **Article (12)**

- a) A detailed written customs declaration must be submitted for goods imported by or exported from the state before the initiation of customs procedures. It shall indicate whether the goods are exempt from customs duties and other duties and fees, and all elements, data, and information related to the goods in terms of their source, origin, specifications, and all clarifications that enable the customs official to apply the customs regulations and collect payable duties and fees. The declaration may be submitted digitally in accordance with the regulations specified by the Director.
- b) The customs declaration form, the information contained therein, its coding, the documents that are to be attached, and the period during which the declaration must be made shall be determined by virtue of a decree issued by the Secretary.

The register in which the declarations must be recorded as well as their names shall also be determined by virtue of a decree issued by the Secretary.

### **Article (13)**

In the event that a customs declaration is deemed invalid on the basis of a request by the person concerned or his agent, the number granted thereto shall be deemed invalid. It shall be deemed invalid in the register and the same number may not be re-granted except in the event that the person concerned or his agent present themselves and request that the same customs declaration be reissued within a period of fifteen days from the date of cancellation. He shall in this case be granted the previous number in accordance with the regulations issued by the Director. The provision of Article (84) of this law shall be observed in this regard.

## **Chapter (3) Postal Shipments**

### **Article (14)**

The terms and expressions set forth below shall have the following meanings:

- a. (cn 22), (cn 23): Postal shipping permit forms.
- b. Postal shipments: Postal shipments and packages.
- c. Customs procedures applicable to postal shipments: All procedures that shall be implemented by the person concerned and customs in relation to postal movement.
- d. Postal service contractors: Postal service providers.

### **Article (15)**

Postal contractors shall submit the postal shipping permit form to customs upon import or export in the following cases:

- a. Goods whose value exceeds 500 LYD.
- b. Goods that are subject to restrictions, export permits, fees and rights upon export.
- c. Goods for which approval must be obtained for export.
- d. Imported goods that are subject to any customs system except domestic consumption.
- e. Other goods that are subject to customs oversight.

### **Article (16)**

Postal shipments may be permitted in accordance with forms (cn 23) and (cn 22) or a customs declaration.

### **Article (17)**

Postal parcels arriving by sea or air shall be unloaded and shipped through means of postal transport under the supervision of customs. The postal contractor shall provide a declaration of what is being shipped through the means of postal transport to clarify the quantity of parcels or postal bags and number of the means of transport. It shall be reviewed with the knowledge of customs and a copy of the declaration shall be submitted after it has been reviewed to the postal delegate to serve as a release permit for the means of transport through customs.

When the means of postal transport arrives to customs, the customs employee shall review the contents of the means of transport against the attached declaration. The declaration shall be returned to the issuing customs after being signed to indicate its arrival.

The postal bags shall be opened in the presence of the customs employee after confirming the validity of the stamps placed thereon. The postal contractor shall record the details of the incoming parcels, write a yearly domestic serial number on each parcel, and receive a copy of this record.

In the event one of the parcels is suspected, the postal contractor may request that it be opened and take inventory of its contents in the presence of the customs employee. He shall record this and the record shall be signed by the postal contractor and customs employee.

#### **Article (18)**

The postal contractor shall present the postal parcels to customs with the packing slips and customs declarations attached to differentiate between the parcels that must be inspected and those that are ready for distribution. Postal contractors shall maintain sole responsibility over opening the packages, extracting their contents, and repacking them under the supervision of customs. The role of customs shall be limited to examining the contents of postal parcels and evaluating the customs duties that must be collected, without consideration of the parcels in their custody at any time.

#### **Article (19)**

The customs employee shall perform inspection, assessment, and itemisation operations in the presence of the postal contractors without need for the presence of the parcel owners. He shall examine the contents of the parcels that are to be opened, record their information, and assess the customs duties and other prescribed duties and fees. He shall include the original and copy in the designated form.

#### **Article (20)**

The competent customs office shall prepare daily two copies of a statement of the parcels for which the payable duties have been assessed. It shall include the parcel numbers, duty items, payable fees, and the number of the designated form.

#### **Article (21)**

A copy of the statement of parcels with an attachment of the original copies of the forms mentioned in the previous two articles shall be submitted to the postal contractor to serve as license for him to deliver the parcels designated therein to their owners after collection of the payable duties. Customs shall keep the original to serve as the basis of accounting between customs and the postal service after it has been signed by the latter indicating receipt.

Packages whose processing has been suspended pending the approval of the relevant authorities or others shall be confiscated and not released until after the requirements have been met and an endorsement by customs to such effect has been made. The previous procedures shall then be followed in this regard.

#### **Article (22)**

Owners of parcels containing commercial goods are required to submit a customs declaration with the required documents attached and take the necessary measures to assess and collect the duty.

#### **Article (23)**

If the parcel owner lodges a complaint against the assessment of customs duties for the contents of the parcel before it is collected from the post, the director of the directorate shall order a new review. No other complaint may be addressed after the parcel is collected from the post except by virtue of special permission from the General Director.

In general, the release of any parcels returned to the state that, at the time of export, enjoyed the reimbursement of all or some of the customs duties is forbidden until what was previously reimbursed has been collected.

#### **Article (28)**

Transit postal parcels shall be excepted from the previous procedures and shall be subject to customs supervision only as transit parcels.

#### **Article (29)**

If the customs employee or postal contractor learns that a parcel contains any contraband, he shall seize the parcel and summon the recipient based on his address to conduct the necessary investigation with him.

#### **Article (30)**

Transport expenses for parcels arriving by land or air shall be calculated on the basis of actual paid expenses and shall be displayed with special postal cards or their bills of lading.

#### **Article (31)**

The following items shall not be subject to customs oversight:

- a. Postcards and personal letters.
- b. Publications for the blind.
- c. Printed documents that are not subject to fees or regulations upon import.

### **Chapter (4)**

#### **Inspection and Release of Goods**

#### **Article (32)**

Incoming goods shall not be inspected or examined by any authorities operating in the customs station prior to the initiation of customs procedures. In all cases, inspection and collection shall be forbidden except in the presence of customs employees.

Any oversight authority that has information shall notify customs thereof and this information shall be verified during the examination and inspection procedures in the competent customs office.

#### **Article (33)**

The Risk Management Department in the Customs Authority shall be responsible for determining selection and inspection standards, and storing them digitally and updating them.

#### **Article (34)**

The competent customs office shall be responsible for examining documents and designating release channels (green, yellow, red) digitally in accordance with database rules. The president of the Inspections Department shall designate the channels in print if the computer stops working.

#### **Article (35)**

The following shall be observed in regards to inspection methods for customs purposes:

- a. Inspection shall be performed in accordance with the ratios designated by the Director, provided that invoices and approved packing lists are submitted. They shall include the trademarks, class and other numbers, labels, and letters that identify the item.

In the event that packing lists meeting the aforementioned conditions are not submitted, inventory shall be taken of the shipments in full and the labels and numbers that specify the item shall be verified. This procedure shall also be performed in the event of a discrepancy between parcel contents and packing lists that meet the conditions.

b. Opening the parcels and taking their inventory shall be a required technicality in the following cases:

1. If serious information is available concerning the presence of a violation in the shipment.
2. If parcels included in a shipment do not have trademarks printed on them or if these trademarks were affixed by hand.
3. If the contents of a parcel differ from those that were declared.

c. It is sufficient to inspect exposed goods (those that are loose and those the value of which are determined by weight) if the contents are apparent to the naked eye.

In all cases, these rules shall not violate the direct release system.

#### **Article (36)**

In the event of the release of goods arriving through any customs system, the description shall be checked upon the detection and inspection of these imports to ensure due diligence.

#### **Article (37)**

The following shipments may be subject to x-ray scans:

- a. Transit shipments arriving through the free zone system.
- b. Shipments that contain one item and similar parcels.
- c. Shipments that the competent customs office deems it important to x-ray scan.

#### **Article (38)**

The organising rules for the collection of samples and the fees therefor shall be determined by virtue of a decree issued by the Secretary.

#### **Article (39)**

The cases in which the direct release of goods shall be permitted and the guidelines regulating the same shall be determined by virtue of a decision issued by the General Director.

### **Chapter (5)**

#### **Import**

#### **Article (40)**

The following customs procedures shall be followed upon import as follows:

First: Submit the customs declaration in accordance with the following procedures:

- a. Information shall be included in the customs declaration in print or digitally by the person concerned or his legal representative.
- b. The printed or digital declaration file shall be submitted at the reception window in the competent customs office with all legally required documents attached.
- c. The declarant shall receive a receipt after the declaration has been signed and the attached documents have been reviewed.
- d. The release pathway shall be determined (green, yellow, red) and the file's documents shall be numbered with the number of the customs declaration.

- e. The file's cover shall be stamped with the date and time of submission.

Second: Shipments shall be released through the green channel in accordance with the following procedures:

- a. The file shall be transferred to the head of the Procedures Department for review of the information recorded on the declaration by the person concerned to verify that invoice items are included in full, the packing list conforms to the invoice, import restrictions are met, and to determine the amount of payable customs duties and fees.
- b. In the event that imports must be displayed to inspection authorities, proof of their delivery shall be submitted prior to release.
- c. The file shall be transferred to the treasury for customs duties and other duties and fees to be collected through one of the payment methods accepted by customs.
- d. The person concerned or his representative shall submit a receipt of payment of the duties and fees to the computer employee to ensure that duties and fees have been paid.

The person concerned shall receive the original release permit with a facsimile of the invoice, delivery permit, and packing list with "no objection to release" written on it. A copy of the release permit shall be sent after it is stamped, and the company that has deposited the goods shall be notified in the case of a digital link.

In the event of the yellow channel, the file shall be returned to the person concerned in order for him to obtain the required documents.

Third: Shipments shall be released through the red channel in accordance with the following procedures:

- a. Review the value in accordance with the legally stipulated assessment rules and ensure that all invoice information is included in the digital declaration.
- b. Review customs items in accordance with the customs tariff and its reconciliation with the person concerned's description of goods.
- c. Ensure that all invoice information is included in the computer in regards to quantities, items, and unit prices.
- d. Review import documents and ensure that all required information has been provided.
- e. Submit indication of the approval of oversight authorities before release when required to present the same to these authorities for inspection and reconciliation before release. When presenting to these authorities is not required, the declaration shall be stamped with the phrase "inspection and reconciliation completed before release."
- f. The office head shall nominate the members of the inspection committee.
- g. The person concerned or his representative shall pay the prescribed duties and fees and provide the inspections department with proof of payment. The person concerned shall receive the original release permit with a facsimile of the invoice and delivery permit attached in exchange for the receipt he was provided with upon submitting the file and a copy of the release permit to customs. He shall then go to the storage space for inspection and reconciliation and to obtain the approval of the oversight authorities.
- h. The person concerned shall be informed of the date and place of inspection.
- i. The customs inspection committee shall be present in the storage space at the designated time and in the presence of the person concerned or his representative to reconcile the required



percentage on the invoice or packing list. The customs and oversight procedures shall be performed simultaneously.

- j. The person concerned shall be notified in the event of any notes or a need for additional documents for the purpose of reconciliation.
- k. In the event of a discrepancy, detailed inventory shall be taken in full and an inventory slip shall be prepared. The committee chairman shall have the competency to review the amounts, tally the quantities, and clarify the numbers.
- l. In the event of conformity and the satisfaction of all requirements, the inspections department shall stamp the original and copy of the release permit with the statement “no objection to release” and reconciliation shall be signed off on by the inspections committee in the designated space on the digital declaration. A copy of the same shall be sent to the exit gate and the person concerned shall receive the original.
- m. In the event of a lack of conformity, the original release permit shall be deemed invalid with a stamp stating “lack of conformity” and a report shall be prepared in this regard. The legal procedures shall be implemented by the head of the competent customs office.

#### **Article (41)**

The person concerned or his representative shall request that each part of the waybill be released on its own. Such division shall not result in an exemption from or reduction in customs duties and other duties and fees.

#### **Article (42)**

Customs procedures for imports in the event of division of a waybill shall be as follows:

- a. The full customs declaration shall be submitted in writing. It shall contain the waybill information and shall be recorded under the name of the importer as indicated in the waybill. The oversight and security authorities shall inspect and reconcile and submit their approval.
- b. The person concerned or his representative shall submit a request for the partial collection of the waybill’s contents. He shall submit the original and two copies and specify therein the quantity of parcels that are to be collected and their numbers. If approved, a customs declaration for the individual contents shall be prepared and the division shall not exceed three times, provided that the director of the competent directorate approves.
- c. Customs shall specify the amount of payable duties and fees for the quantities that are to be collected in accordance with the declared exchange rate on the date the customs declaration is recorded.
- d. A copy of the request shall be sent to the inspections department for review of the parcels and their numbers. The second copy shall be sent to the Declarations Department to be subtracted from the quantity included in the waybill.
- e. The original and copy of the release permit for the requested quantities that are to be released shall be prepared and subtracted from the waybill. The release permit shall be numbered with side numbers in accordance with what was divided.
- f. After payable duties and fees are collected and the released quantities are subtracted from the content of the original customs declaration, the person concerned shall receive the partial release permit with its attachments and a facsimile of the collection request indicating the number of parcels and their numbers. These documents shall be kept by the procedures department with the proof of payment receipt number and date on the original declaration and a copy of the release permit.

The final part shall be subtracted from the original declaration. All original documents shall be attached thereto.

### **Article (43)**

An administrative unit shall be established in the Directorate to serve priority customers. It shall be responsible for the quick release of goods arriving for them in accordance with the conditions and rules that are issued by virtue of a decree by the Secretary.

## **Chapter (6) Advance Release**

### **Article (44)**

Advance release shall mean the submission of the customs declaration and attached documents before the arrival of goods. The following customs procedures shall be followed in this regard:

First: Before the arrival of the goods:

- a. The person concerned or his representative shall submit a request to the office head for the completion of the advance release procedures. He shall attach indication of the goods being shipped from abroad.
- b. A customs declaration for advance release shall be prepared after the collection of the required documents. The release channel shall be selected after the review of the documents and the payment of customs duties and other duties and fees.
- c. The customs declaration shall be transferred with all of its documents to the Inspections Department for the completion of procedures after the arrival of the goods.

In the event of an import violation, the advance release procedures shall be cancelled and legal measures shall be taken in its regard.

Second: After the arrival of the goods:

- a. The person concerned or his representative shall submit the release documents in addition to the delivery permit and original documents to the competent inspections department in the event that they are not submitted upon completion of initial procedures.
- b. In the event that procedures are completed in the green channel and oversight approval as been obtained, the person concerned or his representative shall receive the original release permit, with the attached facsimile of the invoices, packing list, and delivery permit. He shall proceed with the release of the shipment and send a copy of the release permit and its attachments to the exit gate. The original and copy of the release permit shall be stamped with “no objection to release” and the payment shall be considered final.
- c. In the event that procedures are completed in the red channel, the person concerned or his representative shall receive the release documents and the inspection committee shall proceed with customs procedures. In the event of reconciliation, the person concerned or his representative shall receive the original release permit with its attachments. He shall proceed with the release of the shipment after having it stamped with “no objection to release” and the payment shall be considered final.
- d. The inspection committee shall submit the declaration with its documents to the Inspections Department indicating approval for release or the lack thereof. In the event of approval for release, the release permit shall be sent with its attachments to the exit gate.

- e. In the event of a discrepancy between the quantities or items, inventory shall be taken of the shipment in full. The prescribed duties and fees shall be recalculated based on the actual contents without prejudice to the legal procedures in force.
- f. If the oversight or security authorities refuse the release of a shipment, the original release permit shall be deemed invalid. A copy of the oversight authorities report shall be attached, clarifying the reasons for refusal. The procedures in place shall be taken, whether through re-export or destruction, and fees and duties that were previously collected shall be returned.

## **Part (4)** **Compensatory Tax**

### **Article (45)**

The compensatory tax shall be imposed to combat dumping that is caused by dumped imports that were exported to the country at less than their normal value, or exported products that are subsidized by their state, with the lowered cost or subsidy resulting in material damage or the threat of material damage to domestic goods. The compensatory tax shall be imposed by virtue of a decree issued by the Secretary.

### **Article (46)**

To impose the anti-dumping or anti-subsidization compensatory tax, the following elements for imposing the tax shall be verified:

- a. The existence of damage or threat of damage to domestic products.
- b. The existence of a reduction or subsidization of the value of the products.
- c. The tax shall be equivalent to the value of the dumping or subsidization.

Competence in verifying the matter shall be assigned to the Customs Tariff Council mentioned in Article (4) of the law. He may undertake all necessary measures in this regard for the purpose of confirming the existence of damage or threat of damage.

### **Article (47)**

Monetary guarantees or guaranteed pledges may be collected in exchange for the imposed compensatory taxes. The verification procedures shall not prevent the release of goods by customs.

### **Article (48)**

In cases where the existence of damages is definitively verified, the definitive anti-dumping or anti-subsidy tax may be imposed from the date in which the interim procedures for paying a monetary guarantee or submitting a guaranteed pledge were imposed.

### **Article (49)**

In cases where a final decision is issued regarding the existence of a threat of material damage or material obstruction without the damage having yet occurred, the compensation shall be imposed from the date of issuance of such decision.

### **Article (50)**

After one year has passed since the date the anti-dumping or anti-subsidy compensatory taxes were imposed, the Customs Tariff Council may review the extent of continuance of these taxes on the condition that justifications therefor are provided. The imposition of the taxes shall cease by virtue of a decree issued by the Secretary.

**Part (2)**  
**Chapter (1)**  
**Export**

**Article (51)**

Upon the final export of goods, customs procedures shall be as follows:

- a. The information in the customs declaration shall be included by the person concerned or his representative – in print or digitally –the required documents shall be attached. It shall be submitted through the reception window so that the following procedures may be taken:
  1. Obtain the declarant’s signature on the digital declaration.
  2. Review the file’s documents and confirm the attachment and recording of documents and the approval of the oversight authorities, if necessary.
  3. Specify the export channel (green, yellow, red) digitally in accordance with the decision of the Risk Management Department or in print in accordance with the decision of the president of the inspections department.
  4. The reception employee shall be responsible for numbering all documents attached to the decree with the serial number according to the digital numbering, and for stamping the file with the date and time of its submission. He shall refer it for inspection.
- b. The Inspections Department shall perform the following:
  1. Review the shipping permit data record.
  2. Confirm the payment of duties and other dues and fees.
  3. Issue the original and copy of the release permit.
  4. Send a copy of the issued release permit and attach to it a facsimile of the export declaration, invoices, and packing list to the entry gate in Customs.
  5. Hand over the original issued release permit and its attachments (facsimile of invoices, packing list, and shipping permit) to the person concerned or his representative.
  6. Upon the arrival of exported goods to the shipping department in Customs, the person concerned or his representative shall submit the original issued release permit with its attachments and the shipping permit.
- c. The following procedures shall be taken upon the shipment’s arrival to the shipping department:
  1. In the event that export is from a warehouse or production site, the stamp and vehicle numbers, shipping permit, proof of all information in the register and time of entry shall be reviewed and entry to the customs station shall be declared.
  2. In the event of export through the green channel, the containers or parcels shall be transported to the shipping yard for the completion of the shipping process.
  3. In the event of export through the red channel, inspection and reconciliation shall be performed by a committee formed from the inspection and shipping department. In the event of a detailed preparation declaration in conformity with the exported goods in terms of items and quantities, the committee shall sign the original and copy of the release permit to indicate inspection and conformity and to transport the shipment to the shipping yard.

### **Article (52)**

The following procedures shall be taken after the completion of the export process and shipping of the goods:

- a. The shipping agent shall submit the waybill with the shipping permit attached and stamped by the means of transport to signify the completion of shipping. He shall submit the issued release permit to the shipping department.
- b. The shipping department shall attach a copy of the release permit to which they shall attach the shipping documents and send it for review.
- c. The final tally of the exported quantities shall be reviewed for conformity between the quantities that entered through the port as indicated on the release permit copy, the shipped quantities as indicated on the packing list, and the quantities and items recorded in the issued declaration.

### **Article (53)**

The following shall be implemented if the person concerned requests that export procedures be completed outside the customs station:

- a. The person concerned or his representative shall submit a request to the competent director for inspection in the location a sufficient amount of time before the export date. In the event of approval, he shall submit a customs declaration.
- b. The office head shall form a committee to complete the procedures at the location after collecting payable transfer dues.
- c. The assigned committee shall tally the amounts, verify the quantities and items and their conformity with the invoices and packing list, verify the weight of items exported by weight, sign the original and copy of the customs declaration for reconciliation, place the customs stamp on the goods that are to be exported, record the customs stamp number on the original and copy of the declaration, submit a copy of the issued declaration to the person concerned or his representative, and refer the original declaration to the inspections department.
- d. The shipment shall be sent under the customs guard or customs stamp to the shipping department in the competent office with the dispatch form and a copy of the issued customs declaration attached. When the shipment arrives at the entry port, the customs employee shall review the stamp numbers, allow its entry into Customs, and follow the remaining issuing procedures. The shipping department shall sign the dispatch form signifying delivery and confirmation of the goods.
- e. After shipping is completed, the issued release permit shall be stamped to signify the completion of the shipment. It shall be sent for review to ensure that all legal procedures have been completed.

### **Article (54)**

In all cases, goods must be exported within ten days of the declaration's acceptance. The goods that are to be exported may not be divided into different shipments except with the permission of the director of the competent directorate.

### **Article (55)**

Export procedures may be cancelled if adequate justification is found, upon approval by the director of the competent directorate. The customs declaration shall be deemed invalid and archived, and the shipment shall be collected under customs oversight after payment of the payable dues.

## **Chapter (2)**

### **Re-export**

#### **Article (56)**

Foreign imported goods for which customs duties and other duties and fees have not been paid may be re-exported in the following cases:

- a. Imported goods that have not been collected from customs warehouses.
- b. Incoming goods that have been released under temporary admission or temporary entry systems and whose owners wish to re-export them.
- c. Goods stored in warehouses as one of the pending conditions for customs duties and other duties and fees.

#### **Article (57)**

Goods that have been definitively imported into the state may be re-exported in the following cases:

- a. Goods that are proven to have been sent to the state by mistake shall be re-exported within six months.
- b. Goods that have been rejected for any reason shall be re-exported within six months.
- c. Goods that are re-exported for the purpose of exchange.
- d. Commodities and goods that have been put up for consumption shall be re-exported within one year of the date of their import.

#### **Article (61)**

In the event of the applicability of the prescribed conditions, the head of the competent customs office shall implement the exemption or collection of customs duties and other duties and fees for the goods.

#### **Article (62)**

The provisions contained in this chapter shall not apply to goods that are difficult to distinguish and that do not contain signs or labels to distinguish them from other goods. Customs duties and other prescribed duties and fees shall be fulfilled in their regard in accordance with the applicable customs tariff.

## **Chapter (4)**

### **Temporary Export**

#### **Article (63)**

The temporary export conditions and regulations for the cases mentioned in Article (196) of the law shall be as follows:

- Submit a copy of the contract or agreement related to the implementation of the project in regards to temporarily issued tools and mechanisms for completing projects outside of the country.
- The mechanisms and tools shall be returned in the same condition while taking the rate of depreciation into consideration.
- The guidelines stipulated in this regulation shall apply to the export of personal baggage for temporary export.

Personal and commercial means of transport shall be subject to the regulations stipulated in bilateral and international treaties. The organising procedures for this shall be determined by virtue of a decision issued by the General Director.

The following shall be observed in regards to goods temporarily exported for the purpose of repair or the completion of manufacturing:

- Submit a request specifying the item that is to be temporarily exported and the additions or repairs that are to be performed.
- Submit an expense list indicating the cost of repair or additions and any other costs upon the re-import of temporarily exported goods.
- Collect the customs duty and any other duties and fees for the increase that occurred as a result of the additions or repairs required by the completion of manufacturing or repair.
- The temporary export period shall align with the period required for completing the additions or repairs.
- Equipment, tools, and animals for the purpose of temporary use outside of the country shall be subject to the temporary export regulations stipulated in this article.

#### **Article (64)**

In addition to the cases specified in the law, temporary export may be permitted for the following goods:

- a. Containers and wrappers for the purpose of filling them with goods from abroad.
- b. Goods and commodities for the purpose of participating in exhibitions abroad.
- c. Animals for the purpose of grazing abroad.
- d. Commercial samples.

The above shall be in accordance with the guidelines determined by the Secretary.

#### **Article (65)**

The labels and numbers of temporarily exported goods must be determined. The Directorate has the right to place the labels if the commercial means of specifying the goods are not sufficient. Customs shall act as it sees fit to confirm the type of temporarily exported goods. The descriptions, weights, and fineness of precious metals shall be precisely specified upon export.

#### **Article (66)**

Raw or half-manufactured materials may be temporarily exported for the purpose of their manufacturing or the completion of their manufacturing abroad. The manufacturing operations through which this shall be accomplished shall be determined by virtue of a decree issued by the Secretary in coordination with the relevant sectors.

#### **Article (67)**

Temporary export shall be completed in exchange for monetary or financial guarantees or a written pledge accepted by the Directorate.

#### **Article (68)**

Manufactured goods that have been temporarily exported may be re-imported in one or more shipments.

### **Article (69)**

The temporary export applicant shall adhere to the following rules and conditions:

- a. Submit a written request to the customs office through which he wishes to temporarily export, clarifying therein the items that are to be exported and their types, quantities, sizes, specifications, numbers, classifications, all distinguishing features, and the period during which he wishes to temporarily export.
- b. The item that is to be temporarily exported shall belong to a classification that is permitted to be exported.
- c. The item that is to be temporarily exported shall belong to a distinguishable classification whose description can be reconciled upon re-import.
- d. Commit to re-importing the temporarily exported items through the competent customs office from which they were exported. If he wishes to re-import them through a different office, he shall provide that office with a request for entry therefrom, so that the latter may request the original temporary export declaration and all of its attachments from the customs office from which the goods were temporarily exported for reconciliation and confirmation that the re-imported goods were previously temporarily exported.
- e. These items shall be re-imported through the same source.

The exporter shall keep a copy of the temporary export declaration to present it to the customs office upon re-import for the purpose of reconciliation by the competent customs office.

The temporary export status shall end with the completion of the designated period as long as a decision has not been issued by the General Director to extend this period.

### **Article (70)**

The customs office through which temporary export will be completed shall follow the following procedures:

- a. Record the temporary export period granted to the exporter as part of the customs declaration information to be observed by the exporter.
- b. Retain the original temporary export declarations and all information, copies, and forms that the exporter submits for the purpose of reconciliation upon re-import.
- d. All re-imported items shall be subject to all customs procedures, including the examination procedures and analyses in force, as well as their inspection and reconciliation with the temporary export documents. A report shall be prepared with the result of reconciliation.
- e. Re-importing temporarily exported goods in batches shall be permitted within the designated period.

## **Chapter (5) Shipping Procedures**

### **Article (71)**

Shipping goods through any means of transport for the purposes of export is not permitted except in accordance with the following regulations:

- a. The goods shall be shipped from the customs station.
- b. The goods shall be shipped on the days and times designated by the General Director.
- c. The goods shall be shipped in the presence of a customs employee.



The owner of the goods shall submit a written declaration of the goods that he wishes to export upon their entry into the customs station and before they are shipped therefrom, whether these goods are subject to fees or not. The declaration shall be submitted digitally or in writing to the competent customs office through the required method. It shall comprise all the information specified by the General Director. All goods prepared for export shall be subject to customs oversight from their entry into the customs station until they are exported. Their owner shall bear the responsibility for opening, weighing, and repackaging them.

### **Article (72)**

Shipping procedures shall be completed by submitting declarations, examining goods prepared for export, and overseeing them to ensure that the following conditions have been met:

- a. Export fees composed of dues shall have been collected for the value of exported goods or their amount, in the event that they are subject to export fees.
- b. It must be confirmed that the goods have actually been shipped and that they were not unloaded again.
- c. If the goods were received from deposit warehouses, it must be confirmed that they were not tampered with and did not decrease or were exchanged during the duration between being collected from the deposit warehouses and their export.
- d. Goods subject to the licensing for the purpose of the export system must be checked to verify that they meet the required conditions.

### **Part (3)**

## **Provisions Pertaining to Travellers, Supplies, and Consumables**

### **Chapter (1)**

## **Provisions Pertaining to Travellers**

### **Article (73)**

Travellers must observe the following procedures:

- a. Travellers must declare their belongings and accompanying goods and have them inspected by the competent customs office.
- b. Travellers must submit an oral, written, or digital report on their accompanying goods.
- c. Travellers may not enter or depart through their personal means of transport until after completing the designated customs procedures.
- d. Travellers may not bring with them goods of a commercial nature except in accordance with the state's import and export regulations.
- e. Returning residents may have their personal belongings and personal means of transport that they brought with them but were not registered abroad returned to them.
- f. Travellers may have their personal belongings that they brought with them upon entry into the state returned to them.
- g. If the value of goods exceeds the authorized exemption limit for the entry of non-Libyans into the country, a guarantee or written pledge may be taken for temporary entry and the designation of its period, or the payment of the prescribed duties and fees.

The value of duty free goods that the traveller may carry with him shall be determined by virtue of a decree issued by the Secretary.

### **Article (74)**

The personal inspection of travellers is only permitted in exceptional cases and provided that there is a reasonable justification for the suspicion of smuggling or any other violation.

## **Chapter (2)** **Supplies and Consumables**

### **Article (75)**

“Supplies and consumables” shall refer to the following:

- Goods prepared for the consumption of passengers and crews aboard ships, airplanes, trains, and buses.
- Necessary goods for operating and maintaining ships, airplanes, trains, and buses, including fuel and lubricants, with the exception of spare parts and equipment that were on board upon arrival.
- Supplies for sale, which are goods that are sold to passengers and the crew in ships, airplanes, trains, and buses that are carried aboard prior to their arrival or have been transported to them during their time in the customs station.

### **Article (76)**

The heads of ships, airplanes, and trains shall submit declarations on what the airplanes, ships, trains, and buses are carrying in terms of supplies for consumption and sale upon arrival.

### **Article (77)**

In the event of the departure of a ship, airplane, or train, they shall be allowed to ship supplies free from the prescribed duties and fees aboard, consisting of the following:

- a. Supplies for consumption in quantities deemed suitable by customs given the number of passengers and crew members.
- b. Consumables at quantities necessary for operation and maintenance during the journey.

The quantities of supplies and commodities already aboard shall be taken into consideration.

In all cases, the quantities of supplies and commodities added during their time in the customs station shall be recorded.

### **Article (78)**

A statement of the supplies available aboard the ships, airplanes, and trains upon departure must be submitted.

### **Article (79)**

Customs are permitted to deliver the supplies that are aboard the ship for consumption while it is in customs territory. These supplies should be in suitable quantities given the number of passengers and crew members and the duration of the stay.

### **Article (80)**

Customs are permitted to deliver the supplies that are aboard the ship to the crew for the purpose of consumption during the ship’s repair in a dry dock or repair workshop on the condition that its stay is for a reasonable duration of time.

### **Article (81)**

The transporter must take the appropriate necessary measures to prevent any prohibited actions against the supplies or goods, which includes the use of sealing.

### **Article (82)**

If necessary, customs may request the release of supplies and goods present aboard ships, airplanes, or trains to store them in a different place for the period of their stay in customs territory.

### **Article (83)**

Supplies and commodities may be transported from ships, airplanes, and trains to others with the approval of customs.

### **Article (84)**

Supplies and commodities may be transported for domestic consumption or any other customs system on the condition that the legislation in force is abided by.

## **Part (5)**

### **Commercial Label Imitation**

### **Article (85)**

In keeping with the provisions of international treaties on intellectual property rights to which the state is signatory, the following shall be considered an infringement of intellectual property rights:

## **Chapter (1)**

### **Goods in Transit**

### **Article (88)**

Foreign goods subject to customs duties may be transported to warehouses located outside of the ports or to free zones, special economic zones, or other ports in accordance with the transit system and after the submission of guarantees accepted by customs. The value prescribed for the goods shall only be considered a guideline and the final assessment shall be performed in the release customs.

### **Article (89)**

A customs declaration must be submitted for goods in transit to the competent customs office in the entry port and shall clarify all the related information and clarifications. These goods shall be subject to the provisions related to inspection and the customs stamps shall be placed on them.

### **Article (90)**

The owner of the goods, transport official, and transit contractor shall be jointly responsible for the integrity of the goods until they reach their final destination.

### **Article (91)**

Banned, illicit, or rejected goods shall not be allowed to pass through any of the oversight authorities except with the approval of the General Director and after collecting the necessary guarantees. They shall be transported under the customs guard.

### **Article (92)**

If the final destination of the goods in transit is a foreign country, the redemption of the pledge or guarantee shall depend on submission of a certificate from customs in the country of destination

confirming the receipt of goods. Customs shall have the right to grant an exemption from submitting this certificate or to accept any other proof of the exit of goods to their final destination through the submission of a certificate from the customs office in the goods' exit port indicating the integrity of the customs stamps placed on the goods and conformity of the number of parcels. If the goods are transported in containers, it is sufficient to indicate the integrity of the stamps on the container.

- a. They shall be certified to transport goods and have customs stamps placed easily and effectively.
- b. They shall be free from any hidden gaps or places that can be used to hide illegal goods.
- c. There shall be a barrier between the driver's room and the cargo crates to ensure the integrity of the casing and cover placement.
- d. The sides must be firmly closed and prepared to be carried and unloaded from the rear side, taking into consideration transport units carrying special cargo.
- e. The floor and sides of the cargo crates must be attached to the vehicle's structure in a way that does not allow for it to be removed except from the inside. These sides shall have metal rings installed by welding.
- f. The cargo crate's sides and flooring shall not contain any openings or gaps through which the cargo may be accessed.
- g. Exposed transport units must be covered with a sturdy cover tied by rope and encircled by wire from the outside. They shall be stamped with the customs stamp to prevent tampering with cargo.

#### **Article (96)**

Transport units prepared for carrying goods in transit must be equipped with covers that meet the following conditions:

- a. The cover must be intact and not torn. It must be manufactured from durable cloth or cloth covered by plastic or durable rubber.
- b. The cover must completely cover all of the cargo and hang over the sides of the cargo case that is being covered.
- c. It must be equipped with metal rings installed inside the cloth along its perimeter and with dimensions that do not exceed 25 cm.
- d. If the cover is manufactured from numerous pieces, the edges must be folded and mechanically sewn with two stitches no less than 15 cm. apart and with string that is of a different colour than the colour of the cover.
- e. If the cover is manufactured from plastic-covered material and from numerous pieces, the edges must be on top of one another for a distance of at least 15 mm. and mechanically affixed. It must cover the external space with a plastic band at a width of no less than 7 mm. The pieces shall be connected in a way that they may not be separated or re-connected without this having a noticeable result.

#### **Article (97)**

Transport units prepared for carrying goods in transit must be equipped with ligatures that meet the following conditions:

- a. They must be composed of one piece and end with a metal piece at their two ends. The metal piece must be hollow and allow the placement of the customs stamp.

- b. They must be of a length that allows the two ends to meet after passing through the bonds of the cover and all of the rings in the cargo case.
- c. They must be fixed in a way that prevents access to any place in the cargo case or the cargo itself without this leading to it being cut or damaged.
- d. If the rope is covered in plastic, this material must be transparent and not stretchable.

#### **Article (98)**

The means of installing the “metal rings” used in transport units prepared for carrying goods in transit must be in accordance with the following conditions:

- a. They must be metal and installed in the structure of the carrier, container, or cargo case in a way that prevents them from being removed from the outside without leaving a clear mark.
  - b. They must be convergent and with dimensions that do not exceed 25 cm.
  - c. The edges must meet without being welded.
  - d. They must be placed on the cargo case’s ground level and on all of its sides.
- b. The passage of shipments arriving through the transit system transported to public or private warehouses or to free zones or special economic zones or periodic transit, and which have been released through the green channel. The containers’ stamps shall be intact and the parcels shall appear to be in sound condition on the automatic detection device in accordance with what has been determined by the risks management department.
  - c. Ensure the integrity of the containers’ stamps, straps, and ligatures, and that the parcels appear to be in sound condition.
  - d. The head of the Inspections Department shall sign the original and copy of the shipment request after the customs procedures have been taken. The discrepancy between the contents of the goods and what is contained in the submitted documents shall be specified on the shipment request that this discrepancy was found. This shall be taken into account in the value of the guarantees submitted along with collection of the payable fine.
  - e. The transit office shall place the customs stamps and record their numbers on the shipment request.
  - f. The file shall be transferred to the Procedures Department for the value of customs guarantees to be determined and for the shipment request, its copy, the invoice, and the packing list to be stamped with the customs stamp.
  - g. The person concerned shall be notified of the payment of prescribed dues and guarantees.
  - h. A customs guard delegate shall be determined if the person concerned so desires or when necessary.
  - i. The person concerned or his representative shall receive the original shipment request or the designated handwritten or digital form and its attachments.
  - j. A copy of the shipment request or the designated form shall be sent with a facsimile of the invoice and packing list attached to the exit gate, and the second copy shall be stored with the declaration file.
  - k. Shipment information shall be recorded in a comprehensive special register for all shipment information. The delivery delegate shall be designated, if available, and the exit date.
  - l. Shipments released through the transit system shall be monitored and the Anti-trafficking Department in the Directorate shall be notified in the event of a delay in its arrival within the appropriate date for investigation of the reasons behind its late arrival and the undertaking of the legal procedures to safeguard customs rights.

### **Article (101)**

Exit gate procedures in the shipping customs shall be completed as follows:

- a. The person concerned or his representative shall submit the original shipment request to the exit gate customs who shall bring the customs declaration and ensure the validity of the information in the shipment request and the integrity of the stamps and parcels and the conformity of the original and copy of the shipment request with the shipment's contents.
- b. The shipment request, time of exit, names of customs delegates accompanying the shipment, means of transport number, container numbers, and the driver's license and passport of the driver shall be recorded in a special register.
- c. Exit shall be allowed after confirmation of the integrity of the stamps and parcels, and the review of the container numbers, customs guarantees, and parcel labels without exposure to the contents of the containers or the parcels.
- d. Copies of the shipment request and exit permits shall be returned to the competent customs, which is responsible for archiving them.

### **Article (102)**

The person concerned or his representative shall submit the original shipment request to the arrival customs, then follow the following procedures:

- a. Ensure the integrity of stamps and parcels.
- b. Review guarantee numbers and parcel labels.
- c. Record the time and date of arrival in the designated register.
- d. Indicate the competent customs on the original shipment entry request and ensure the integrity of stamps.
- e. If stamps and parcels are in sound condition, the competent customs shall mark the shipment request stub to such effect. Send the original shipment request to exit customs.
- f. Send the waybill to the arrival customs and the original shipment request to the shipping customs. In this case, it may be sent by fax or any other digital method or through expedited mail, as desired by the person concerned and at his expense.
- g. In the event of a lack of integrity of the container or truck stamps, or the arrival of the parcels in an apparently unsound state, detailed inventory shall be taken of the shipment using the inventory form, which shall be attached to the original shipment request and sent to the declaration office in the arrival customs that records the actual contents, then sent to the shipping customs.
- h. Customs procedures shall be completed upon the immediate arrival of customs goods according to the procedures in place.

### **Article (103)**

The archiving of transit guarantees and procedures for returning them shall be organised by virtue of a decree issued by the General Director in accordance with the following:

- a. The guarantees shall be recorded in the entry customs accounts and shall be filed at the end of the day within the customs guarantee accounts.
- b. The entry customs accounts shall record these guarantees in a special register or in the electronic account. The accounts authority shall be responsible for periodically reviewing and overseeing the guarantees.

- c. In the event of any notes, the shipping customs shall request the customs declaration file and reconcile the declared items and quantities with the declaration of items and quantities indicated in the inventory form prepared by the arrival customs. If it emerges that there is a deficit, increase, or any other remark, the necessary procedures shall be taken to collect customs dues before returning the guarantee.
- d. After the arrival of the shipment request stub from the exit customs to the entry customs, the latter shall, in the event of the shipment's arrival without any remarks, inform the customs accounts by returning the guarantee.

To facilitate the procedures, the General Director shall adopt regulations for the purpose of returning guarantees in the exit customs.

#### **Article (104)**

The head of the competent customs office or his replacement may grant approval for a shipment of goods in transit to be changed from one means of transport to another after assessing the state of a cargo's integrity. This shall be performed upon the request of the person concerned or his agent approved by customs. The change shall be made under the supervision of customs members, provided that the person concerned or his agent later pay dues for extra work.

#### **Article (105)**

Direct transit is the transport of foreign goods from one ship to another without them being held in storage facilities or warehouses in the customs station in the ports under the responsibility of the shipping agent. The following procedures shall be followed in their regard:

- a. The head of the competent customs office or his replacement may authorize the shipping agent to re-ship the goods on a different means of transport.
- b. The special waybill related to the goods that are to be transported to another means of transport shall be submitted with a copy of the waybill attached within 24 hours before the arrival of the means of transport carrying the goods. The waybill shall contain the following:
  1. The goods and a declaration of the weight and size.
  2. The name of the means of transport in which the goods were initially contained.
  3. The name and place of the transfer port.
  4. The means of transport entity to which the goods are being transported.
  5. The body of the goods that are to be transported to a different means of transport.
  6. The issuing of a waybill for the transported goods.
- c. The shipping agency or agent shall submit two copies of the goods extract to the declarations office to be reviewed and for reconciliation with the original copy of the waybill, and to ensure that it is included in the transshipment system.
- d. The declarations office shall send a copy of the excerpt to the Traffic Department with which the means of transport is affiliated, and which is responsible for recording it until the shipping agent submits the shipping permit to re-ship the shipment.
- e. Re-shipping shall be completed under customs oversight after collecting the extra work fees.
- f. The copy of the excerpt shall be stamped after the completion of shipping. The entries of the Traffic Department shall be paid and a copy shall be sent to the declarations office.

## Chapter (2)

### Warehouses

#### Article (106)

Warehouses are storage facilities, yards, pavements, spaces, and buildings that are licensed to store goods under customs supervision for which customs duties and other duties and fees are pending. They shall be divided into two types:

- a. Public warehouse.
- b. Private warehouse.

Public warehouse: The place where incoming goods are stored on behalf of others.

Private warehouses allocated for the storage of a specific type of goods shall be permitted in accordance with the legal technical conditions stipulated in this regulation.

Private warehouse: The place where the warehouse owner stores his imports.

#### Article (107)

Warehouse conditions and specifications shall be determined in accordance with the following:

- a. The space requested for building a public warehouse shall not be less than 20,000 m<sup>2</sup> (twenty thousand square meters), and 10,000 m<sup>2</sup> (ten thousand square meters) for a private warehouse.
- b. They shall be equipped with sealed and roofed depositories for the storage and preservation of goods and parcels that require special conditions. The size of the depository shall be no less than 1,000 meters.
- c. The warehouse must be surrounded by a wall from all sides at a height of no less than 4 meters topped with barbed wires at a height of no less than one meter. It shall have one main entrance unless the General Director permits the existence of other main entrances based on need. The warehouse shall be shut with two locks, one kept with customs and the other in the possession of the warehouse administration.
- d. The warehouse yards shall be fully paved and equipped to drain rain water.
- e. The warehouse shall be equipped with chambers and offices for customs employees, medical facilities, proper furnishings, means of communication, computers, lighting, and air conditioning. The warehouse administration shall be responsible for the upkeep of all of this equipment and for the costs associated with their use.
- f. It shall meet the special safety requirements for operating warehouses, including for example fire prevention, early warning devices for fires and burglary, sufficient lighting, and surveillance cameras.
- g. There shall be an insurance policy for the warehouse and goods deposited therein that provides coverage for all risks.
- h. The warehouse shall be built on a suitable paved road.
- i. It should be equipped with the mandatory mechanisms, tools, and equipment necessary for unloading goods from means of transport, and reloading and transporting goods from one place to another within the warehouse, and when necessary, weight and measurement equipment.
- j. It shall contain a separate place allocated for the deposit of goods that have exceeded the legal period for storage.
- k. The necessary approvals for establishing a warehouse shall be submitted (the adoption of the warehouse site in the general blueprint).

#### Article (108)

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Customs procedures for storage in public and private warehouses shall be as follows:

- a. The warehouse owner shall submit the original and three copies of a storage request with a deposit bond to the president of the customs office. It shall be numbered with the special serial number of each warehouse in accordance with the designated form, and shall clarify the full shipment information with the packing list attached. A single invoice may not be divided and shall be transported in full to one warehouse after the transport is approved and the original and the three copies are stamped with the customs stamp.
- b. The official endorsement shall be provided at the exit gate with the completion of receipt by the yard secretary and the storage facility secretary to ensure the exit of the shipment in full. A copy of the designated form shall be delivered to the storage secretary and the shipment shall be transported to the warehouse, and the customs of the warehouse to which the shipment is being transported shall mark the copy indicating entry into the warehouse and confirming the customs stamps upon entry, if present.
- c. The original aforementioned form shall be returned to the declarations department in the customs office for review and reconciliation with the shipment's original declaration, and for placement of the waybill's serial number.
- d. Record storage request information in a special register or computer with the serial numbers for each warehouse alone.
- e. The goods shall be transported to the warehouse under customs oversight. Loose goods may be transported in their current state with or without oversight, provided that it is verified they have not been tampered with.
- f. Goods being transported to the warehouse shall be checked by the customs personnel in terms of quantity, labels, parcels, and numbers, and shall be recorded in the designated register.
- g. The goods shall be stored in the warehouse based on their specificities and types.
- h. The goods shall be recorded in the warehouse in a special register stamped by customs with serial numbers, which shall cover all necessary information concerning the goods.
- i. The customs officer shall inspect the goods inside the warehouse, and the warehouse owner shall provide the assisting equipment and machinery.
- j. Goods deposited in the warehouse may not be released until after presenting the customs release permit and a copy of the documents pertaining to the goods or the discharge form for goods in transit "international or domestic transit" and oversight approval for goods arriving for domestic consumption.
- k. Customs personnel shall have the right to monitor the goods inside the warehouse at random or when necessary.
- l. The customs officer shall receive the customs release permit or discharge form in accordance with the transit systems and attached documents. He shall compare the released goods to the attached documents.
- m. The customs release permit shall be transferred with the attached documents to be stored by the competent customs office.
- n. Documents shall be recorded in the warehouse in the event of entry or exit using electronic and advanced methods.
- o. All customs procedures for incoming goods may be completed inside of the warehouse by virtue of a decree issued by the Secretary based on the proposal of the General Director.

### Article (109)

The maximum period for goods to remain in the warehouse shall be set at six months. For supplies that may spoil, rot, or damage, the period shall not exceed 24 hours and may be extended for other periods when necessary upon approval by the General Director.

#### **Article (110)**

The documents and information required to transport goods to be deposited in warehouses shall be in accordance with the following:

- a. Agreement form in accordance with what has been prepared between the owner of the goods and the warehouse, which shall be stamped and signed by both parties.
- b. General waybill attached to the waybills for the goods that are to be deposited or transported to the warehouses.
- c. Declaration submitted by the warehouse administration specifying the types of goods that are to be stored in the warehouse.
- d. Submit a deposit bond for the goods that are to be stored that contains all information pertinent to the goods in terms of type, quantity, weight, date of deposit, and other information.

#### **Article (111)**

Applications, registers, and forms necessary for goods deposited in the warehouses:

- a. Register from the storage ledger clarifying the goods deposited in the warehouse and those disbursed therefrom.
- b. Deposit bond in the warehouses.
- c. Agreement form between the warehouse and the owner of the goods.
- d. Notice about the goods sent to the customs storage or the warehouse.

#### **Article (112)**

The inspection of goods in warehouses shall be performed in accordance with the procedures stipulated in the regulation.

#### **Article (113)**

Customs shall receive a financial report or bank guarantee for the sum of 500,000 (five hundred thousand) LYD for public warehouses and a sum of 200,000 (two hundred thousand) LYD for private warehouses. In the event that customs confirms that the value of the guarantee does not cover the value of the payable duties and fees, the guarantee shall be increased by a percentage of 10% of the hypothetical value of the goods.

#### **Article (114)**

The yearly consideration paid to customs as service fees shall equal the sum of 100,000 (one hundred thousand) LYD yearly for each hectare of public warehouses, and a sum of 20,000 (twenty thousand) LYD for private warehouses.

#### **Article (115)**

The entity utilizing the warehouse shall be responsible for the decrease, damage, and destruction of goods stored unless this damage is a result of an accident or force majeure. If the decrease is due to natural causes such as evaporation, leakage, or dryness, then it may not exceed a percentage of 5% of the total goods.

### **Article (116)**

All types of goods may be accepted in the public warehouse except for goods that are banned from import for religious, health, security, or environmental reasons, or those that are economically boycotted. For competent public warehouses, goods of a special nature – the storage of which requires establishments equipped to store such goods – is permitted, with the exception of goods that are banned from import for health, religious, security, or environmental reasons, or those that are economically boycotted.

In regards to private warehouses, all goods licensed for import may be accepted in private warehouses except for goods that are banned from import for health, security, or environmental reasons, or those that are economically boycotted.

### **Article (117)**

The following rules shall be followed in regards to the deposit, inventory, accounting, and item disbursement system:

- a. The warehouse owner shall take routine stock of the goods for which the legal period of storage has passed and shall notify customs of the same.
- b. Customs is entitled to take stock at random when necessary.
- c. Customs shall form yearly stock committees to compare the deposited goods in the warehouse with those that have exited and tally the remaining goods.
- d. Any unjustified decrease that is discovered shall be investigated and its condition recorded. The value of missing goods and customs fees shall be calculated, and the warehouse owner is required to pay the required customs dues as well as take other legal measures.
- e. Each storehouse shall have a general ledger that the storehouse secretary shall maintain and preserve. He shall record in it all information related to goods arriving to the storehouse from the import documents and declare in it the incoming and outgoing amount and the remaining credit for each item once the process is complete to allow daily follow-up to obtain at any time the storehouse's movement and stockpile.
- f. Goods shall be received in the storehouse on the basis of their related import documents, which require the fulfilment of information related to the goods such as type, quantity, distinguishing labels, and name of owner of the goods.
- g. If the goods arrive without documents, they may be temporarily entered and shall be stored on their own. The storehouse secretary shall issue an administrative certificate in which he records the information related to these items, such as the name of the supplier, quantity, type, amount, and distinguishing labels. This certificate shall be archived after being serially numbered in a special file under the arrival of their related documents.
- h. The items shall be disbursed from the store after submitting proof of payment of the payable customs duties for the goods by virtue of a customs declaration, payment receipt and customs release in the case of import and submitting the customs export declaration with the necessary documents attached in the case of export.

### **Article (118)**

The following rudimentary procedures may be performed inside the warehouse after the approval and supervision of customs:

- a. Ventilation, drying, removing dust, regular cleaning operations, repairing covers, and simple repair operations of damages to goods subsequent to their being transported or stored.

- b. Return the goods to their initial state after they are transported.
- c. Operations related to taking stock, lifting samples, sorting, screening, mechanical filtering, and weighing of goods.
- d. Remove or isolate parts that have been damaged or contaminated.
- e. Treat fungi and parasites.
- f. Treat rust.
- g. Treatment through temperature-raising methods without any other complementary treatment and without using any distillation methods.
- h. Treatment through temperature-lowering methods.
- i. Add goods to others, fasten or change supplementary parts or accompaniments, provided that these operations are limited and aim to make the goods identical to the technical specifications and do not lead to a change in their nature or the primary characteristics of the original goods. The goods shall be destined for export or international transit.
- j. Separate or cut the goods on the basis of specific measurements, provided that this is rudimentary.
- k. Wrap, unwrap, or change the wrapping of parcels, deposit or pour liquids into containers so as not to lead to any change in the original specifications of the goods.
- l. Test, adjust, and put into use machinery, equipment, and means of transport to verify technical specifications. These operations shall be rudimentary.
- m. All other rudimentary operations that have not been mentioned above, the purpose of which is to improve the display of goods, providing that these operations do not compromise the nature of the goods or change their original characteristics.

#### **Article (119)**

All types of goods may be deposited in warehouses except for the following goods:

- a. Goods that require special establishments for their storage and loose goods, unless the warehouse is designated therefor.
- b. Goods that are banned from import, circulation, or use for religious, health, or security reasons, or those that are economically boycotted.
- c. Goods that display signs of spoilage or whose presence in the warehouse exposes to danger or an extent of damage to the quality of other goods and products.
- d. Goods that violate regulations related to intellectual property.
- e. Weapons, ammunition, explosives, and similar materials, flammable materials and radioactive materials, unless the warehouse is equipped to store these goods.
- f. Waste and supplies that pollute the environment.

#### **Article (120)**

The entity utilizing the warehouse shall abide by the following regulations:

- a. Not make any additions or modifications to the warehouse until after obtaining permission from customs.
- b. Be subject to all review procedures performed by customs on goods stored in the warehouse and present them for inspection when requested by customs.
- c. Present a statement of goods deposited in the warehouse based on type, quantity, number, and date of deposit, to which shall be attached the form by virtue of which the goods were deposited in the warehouse when requested by customs and during spot inspections and yearly stocktaking.

- d. Organise and encode the yards and storage facilities in accordance with the security requirements for the storage of goods.
- e. Not transport any goods inside the warehouse from one place to another except after submitting a request to customs and obtaining prior permission therefrom.
- f. Pay the payable monitoring dues.
- g. If the activity of a warehouse has been discontinued on the basis of a request by the person concerned or by virtue of a decision issued by the competent authority, the warehouse administration must be granted a period of time that does not exceed three months to settle the affairs of the warehouse. It must settle the status of goods in the warehouse within the period of one month from the date the discontinuation decision enters into force. If it is unable to settle its status then it shall be moved to the customs warehouses or shall be placed under a different customs system.
- h. Prepare lists of the goods for which the legal period for storage has expired and transfer them to customs.
- i. Entry into the warehouse is prohibited for anyone who is not an employee or labourer therein or a customs employee or an employee or labourer in one of the other bodies whose business requires them to examine goods in the warehouse.
- j. There shall be a link with the customs computing program.
- k. The warehouse administration must provide notification in writing of damaged goods or those that have been stolen, burned, destroyed, or lost immediately after the status is discovered.
- l. The warehouse owner shall be responsible for the ledgers and registers designated for the regulation of deposit, stocktaking, and accounting operations.

#### **Article (121)**

The fees for storage in public warehouses shall be calculated in accordance with the agreement reached between the owner of the goods and the warehouse administration on the basis of the quality of service provided, provided that storage fees in all cases shall not exceed half of the value of the goods. The fees for storage in customs deposit storage facilities shall be determined by virtue of a decree issued by the Secretary.

#### **Article (122)**

The owner of the goods or his agent accredited with the Administration is entitled to perform the following:

- a. Inspect the goods in warehouses after submitting a written request to customs mentioning the reasons for this request. Inspection shall be performed under customs supervision and in the presence of the warehouse administration.
- b. Collect samples and pay the customs duty and other payable duties and fees for samples of commercial value the import of which is permitted. The procedures for collecting samples shall be determined in accordance with their quantity, size, and weight by virtue of a decree issued by the Secretary.

The owner of the goods may enter the means, quantities, and supplies necessary to perform certain functions of a special nature.

#### **Article (123)**

Specialized public warehouses may be established or a part of a public warehouse may be specialized on the condition that it is equipped to receive goods of a special nature, the storage and

preservation of which requires special specifications, for example dangerous goods such as firecrackers, explosives, radioactive materials or those that are flammable and may be inflamed, or goods that require specific temperatures of refrigeration for the purpose of preservation, and other goods whose preservation requires special establishments or others.

#### **Article (124)**

Subject to the rules organising transit, goods may be transported from one warehouse to another on the basis of a request submitted by the person concerned and the approval of the administrations of the two warehouses and customs. Transport shall be performed in accordance with the designated form through means of transport sealed with the customs seal or under customs guard or in accordance with guarantees accepted by customs. The owner of the first warehouse shall maintain responsibility over the goods under they are accepted by the other warehouse. Transport shall be completed in accordance with the domestic transit system.

### **Chapter (3)** **Public Warehouses**

#### **Article (125)**

Work in the public warehouse system shall be licensed by virtue of a decree issued by the Secretary after the following conditions have been met:

- a. A written request shall be submitted to the Customs Authority for a license to establish a public warehouse.
- b. The conditions and regulations stipulated in this regulation shall be met in accordance with a report issued by the technical and legal committee formed for this purpose.
- c. The person concerned shall pay the cost of the guarantee and yearly consideration throughout a period that does not exceed one month from the date of licensing for the establishment of the warehouse and if not, then the decision shall be considered void.

#### **Article (126)**

The same conditions, regulations, and provisions stipulated in this regulation shall apply to public warehouses administered by a public body or organisation.

#### **Article (127)**

The warehouse administration shall refer the statements for goods for which the legal storage period has expired to customs, which shall in their turn address a letter with acknowledgement of receipt to the owner of the goods and the warehouse administration indicating that the goods will be referred to the customs sales committee to dispose of them by means of sale in accordance with the legal procedures followed in this regard. If a specific address for the importer is not found or if his legal capacity has expired, the warehouse owner shall replace the owner of the goods in being notified of the completion of sales procedures.

#### **Article (128)**

Customs duties and other duties and fees for goods that have been previously stored in public warehouses shall be assessed on the basis of their value, weight, quantity, or size upon storage. These duties and fees shall not be payable in the event of a deficiency, loss, or change resulting from reasons attributable to damage or theft.

## **Chapter (4)**

### **Private Warehouses**

#### **Article (129)**

For a license to establish a private warehouse to be granted, the conditions stipulated in Article (107) of this law shall be met, in addition to the condition of the applicant obtaining a license to engage in a specific economic or commercial activity. The license for building a private warehouse shall be issued by virtue of a decree issued by the Secretary on the basis of a proposal from the General Director in accordance with the conditions mentioned in this regulation.

#### **Article (130)**

The owner of a private warehouse shall be licensed to store goods that he intends on reselling, remanufacturing or placing in domestic consumption.

#### **Article (131)**

Subject to the provisions of Article (140) of the Customs Law, seized goods may be deposited in the deposit storage facilities that are administered by customs until the completion of procedures in their regard or their referral to a different authority.

#### **Article (132)**

With regards to the warehouse system, the forms mentioned in this chapter and attached to this regulation shall be used.

## **Chapter (5)**

### **Temporary Admission**

#### **Article (133)**

Temporary admission shall refer to temporary exemption from customs duties and other duties and fees for the following imports:

- a. Raw materials and intermediate goods intended for manufacturing and export.
- b. Items imported for repair or the completion of their manufacturing and then their export.

The temporary admission system aims to encourage national manufacturing and foreign investments, invigorate and increase the volume of exports, create job opportunities, and increase the state's intake of foreign currencies and contact with foreign expertise.

#### **Article (134)**

The following is required to enjoy the temporary admission system:

- a. Goods imported in accordance with this system shall be arriving from abroad.
- b. Goods imported for the beneficiary body shall be of the supplies and items specified by virtue of a decree issued by the Secretary.
- c. Goods shall have been imported for the purpose of being manufactured, for the continuation of their manufacturing, or for their repair.
- d. The goods shall be imported for a legally-established body "production or manufacturing unit."
- e. The importer shall provide the administration with a security or monetary guarantee equal to the value of customs duties and other duties and fees. He may be exempt from providing the security or guarantee by virtue of a decree issued by the Secretary.

### **Article (135)**

The following must be observed to implement the provisions of this system:

- a. No goods shall enter the factory without the knowledge of customs.
- b. The right to import goods under the temporary admission system for the purpose of manufacturing is not limited to the factory owner.
- c. The product may be transported to be manufactured as a different product. These manufactured materials shall be exported. The guarantees submitted by the person enjoying this system shall only be settled upon providing proof of having exported these goods.
- d. The importer may re-export the raw materials during the legally designated period and on the basis of the export procedures stipulated in this regulation.
- e. Goods may be exported from any customs port.
- f. Manufacturing shall not be limited to goods directly imported from abroad, but is also permitted for goods that had previously been subject to a different customs system.
- g. Customs duties and other duties and fees shall be equal for manufactured goods and those that remained in their imported state and have been allowed to enter domestic consumption on the basis of the identical customs category on the date the customs declaration for placing them into domestic consumption was recorded.
- h. Goods that were manufactured shall be exported within one year of their date of import. If they are not, then the payable customs and fees shall become due. The Secretary may extend this period.
- i. Goods imported under the temporary admission system may be subject to any other customs system and all provisions related to this system shall apply.

### **Article (136)**

The following customs procedures shall be followed to implement the temporary admission system after verifying that the person concerned has received the right to enjoy this system:

- a. The person concerned or his representative shall submit a customs declaration in writing or digitally to the Procedures Department with the following documents attached:
  1. Bill of lading or delivery order.
  2. Original invoice.
  3. Certificate of origin.
  4. Packing list.
- b. Customs procedures in terms of admission, payment of the guarantee, and inspection of goods shall be performed in accordance with the procedures stipulated in this regulation, as shall verification that goods imported for the purpose of manufacturing, repair, or continuation of manufacturing correspond to the activity.
- c. A sample shall be collected of each item and shall be safeguarded and signed by the head of the Inspections Department.
- d. In the event of an inability to collect samples, the original presentation or fees forms issued by the manufacturer shall be attached to enable reconciliation upon re-export.
- e. More than one additional sample may be acquired for export from more than one port before the start of procedures on the basis of a request submitted by the importer.
- f. The goods entering under the temporary admission system shall be recorded in the competent office's register and shall contain all information recorded in the declaration.
- g. A customs release permit shall be granted and the goods shall be transferred to the factory under customs oversight.



- h. Goods arriving at the factory shall be recorded in special registers that specify the type of goods based on the contents of the documents. They shall be placed in the designated storage facilities under customs oversight.
- i. Goods shall be withdrawn for the purpose of manufacturing by customs and shall be recorded in special designated registers.

#### **Article (137)**

The following procedures shall be followed for re-exporting goods that were previously imported under the temporary admission system:

- a. The goods shall be exported in accordance with the export procedures stipulated in this regulation after being manufacturing, having their manufacturing completed, or being repaired during the legally specified periods. The person concerned or his representative shall submit a customs declaration in writing or digitally to the export department with the following documents attached:
  - 1. Invoice for the final product value at the factory gate price.
  - 2. Packing list.
  - 3. Bill of lading.
  - 4. Certified certificate of conformity from the factory owner containing the total quantity of raw materials imported, percentage added value from domestic materials, and percentage loss in manufacturing in accordance with the decrees issued in this regard and the manufacturing operations performed on the imported materials and any extra necessary costs for the completion of the manufacturing procedures.

After the completion of procedures, the export declaration shall be transferred to the Guarantees Department in the competent office for the purpose of settlement. The person concerned shall receive a copy of the approved issued declaration.

- b. The arriving goods may be re-exported under this system in their imported state under the conditions stipulated in this regulation on re-export.

#### **Article (138)**

Settlement procedures for goods exported under the temporary admission system by the person concerned or his representative submitting a settlement request to the Guarantees Department with the following documents attached:

- a. Copy of the import declaration that is to be deducted from.
- b. Copy of the certified export declaration with the required documents attached.
- c. Copy of a declaration of goods that have been approved for entry for domestic consumption.
- d. Certificate specifying the legally adopted perishable percentages approved by customs.

Upon receiving the settlement request, the Guarantees Department shall be responsible for providing and undertaking the following:

- a. Import and export declarations.
- b. Certificate of reconciliation to verify the destruction ratio.
- c. Declarations of goods that have been placed under the domestic consumption system.
- d. Receipts for the payment of customs duties and other duties and fees in the case of goods placed in domestic consumption.

- e. Calculate and compare the contents of previous documents and settle guarantees on this basis.

#### **Article (139)**

In the event that the importer wishes to dispose of the imported goods in accordance with the temporary admission system by placing them into consumption in the domestic market upon the approval of the Director, the following shall be observed:

- a. The person concerned or his representative shall submit a customs declaration digitally or in writing to the competent customs office and shall display therein the classifications of the goods that he wishes to place into consumption in the domestic market.
- b. Submit copies of declarations for previous imports of these goods that were released under the temporary admission system.
- c. Fulfil the import rules in accordance with the legislation in force.
- d. The approval of oversight authorities, if available.

The aforementioned procedures shall be performed as follows:

- a. Review the submitted documents, compare them to the incoming declaration, and verify that its information has been entered by computer or in writing.
- b. Inspect the manufactured goods and compare them to the original sample.
- c. Pay the legally due custom duties at the time of the recording of the declaration to place them in domestic consumption in exchange for a monetary receipt.
- d. Grant the customs release permit to the importer.

### **Chapter (6) Free Zones and Markets**

#### **Article (140)**

Goods of all types and from all foreign or national sources are permitted entry into the free zone except for banned or restricted goods in accordance with the provisions of Article (61) of this law.

The owners of these goods or their representatives shall be considered responsible for goods whose entry into the free zone is prohibited if they enter the free zone, without prejudice to application of the prescribed penalties in the legislation in force.

#### **Article (141)**

The entity investing in the free zone shall submit a list of all goods that have entered the free zone within 36 hours with the following documents attached:

- a. Certificate of origin.
- b. Waybill.
- c. Goods (invoice).

#### **Article (142)**

A customs declaration shall be submitted for the goods imported or exported from the free zone to the competent customs with the necessary documents certified by the free zone authority attached.

#### **Article (143)**

The free zone administration, in coordination with the competent customs, shall issue permits of entry into the free zone to licensed business owners. The permit period shall be specified by the

period specified in the license for work in the zone. Permits shall also be issued for workers in its licensed facilities.

#### **Article (144)**

Permits for residency in the free zone shall be issued from the free zone administration in coordination with the competent customs. The use of these permits shall be limited to workers in the free zone on the condition that the nature of their work requires them to reside in this zone during non-work hours.

#### **Article (145)**

Upon the export of goods abroad or their entry into the domestic market from the free zone, the already existing information in the documents submitted to customs shall be sufficient.

#### **Article (146)**

Ownership of goods entering the free zone may be transferred upon submission of a written request to customs and approval by the free zone administration with proof of the ownership transfer attached.

#### **Article (147)**

Goods exported from within the country to the free zone shall be treated in the same way as goods exported abroad. The organising rules and procedures for export shall apply in their regard.

#### **Article (148)**

Goods imported from the free zone to within the country shall be treated under the provisions organising import from abroad.

#### **Article (149)**

The customs procedures contained in the following provisions of this chapter shall be applied by the competent customs office inside the free zone.

#### **Article (150)**

Goods present in the free zones or markets may only be transported to different free zones or markets or storage facilities or warehouses in accordance with procedures determined by the Director.

#### **Article (151)**

National and foreign ships are permitted to refuel and obtain the marine equipment they require in the free zones.

#### **Article (152)**

The General Director may permit the entry of heavy machinery and equipment into the free zone in accordance with the temporary admission system for the completion of practical and scientific experiments inside the free zone.

#### **Article (153)**

The procedures for imports to the free zone from abroad shall be implemented as follows:

- a. Submit a request for the transfer of incoming goods to the free zone certified by the free zone administration with the following attached:
  1. Invoice clarifying the type, value, quantity, and weight of goods.

2. Packing list.
3. Bill of lading or delivery order.
4. Certificate of origin.
- b. The competent customs shall certify the aforementioned form and record it with serial numbers in a register prepared for this purpose in writing or digitally.
- c. Mark the aforementioned form to indicate the arrival of goods to the free zone after they have been inspected and reconciled with the documents.
- d. Record the goods in the free zone customs register in writing or digitally.

#### **Article (154)**

Goods may be exported abroad from the free zone with the submission of the following documents:

- a. Export declaration.
- b. Invoice clarifying the number and date of the designated transfer form and the number and date of the bill of lading or delivery order.
- c. Form certified by the free zone administration.
- d. Certificate of origin issued by the free zone, if the goods were manufactured in the zone.
- e. Certificate of source issued by the free zone on the basis of the original certificate of origin, if the goods were imported from abroad.

#### **Article (155)**

Goods may be exported from the free zone to the domestic market with the submission of the following documents:

- a. Request form to export goods to the domestic market certified by the free zone administration.
- b. Invoice clarifying the number of the transfer form and the date and number of the bill of lading.
- c. Certificate of source issued by the free zone on the basis of the original certificate of origin, if the goods were imported from abroad.
- d. Certificate of origin issued by the zone, if the goods were manufactured in the free zone.

#### **Article (156)**

Goods may be entered into the free zone for the purpose of repair or the completion of their manufacturing from the domestic market, provided the following conditions are met:

- a. Temporary admission declaration.
- b. Temporary admission into the free zone for the purpose of repair or the completion of manufacturing form certified by the free zone administration.
- c. Invoice for the value of goods that are to be entered.

#### **Article (157)**

Procedures for the temporary export of goods from the free zone to within the country for the purpose of repair or the completion of manufacturing shall apply with the submission of the following documents:

- a. Temporary export declaration.
- b. Invoice for the value of goods.
- c. Letter of guarantee or written pledge issued by the free zone administration.
- d. Form certified by the free zone administration clarifying the numbers, labels, and description of the goods and quantity or weight.

### **Article (158)**

Returned goods procedures shall apply to goods arriving to the free zone after their repair or the completion of their manufacturing from within the country after the submission of the following documents:

- a. Request form for the entry of goods into the free zone after their repair or the completion of their manufacturing certified by the free zone administration.
- b. Copy of the form for export abroad.
- c. Copy of the temporary export declaration.
- d. Invoice for operating or repair indicating the cost.

### **Article (159)**

Re-export procedures shall apply to goods exported from the free zone after their repair or the completion of their manufacturing to the domestic market with the submission of the following documents:

- a. Submission of a customs declaration.
- b. Form for the release of goods from the free zone after their repair or the completion of their manufacturing certified by the free zone administration.
- c. Copy of the temporary admission declaration.
- d. Invoice for operation of final repair clarifying the cost of repair or completion of manufacturing.

### **Article (160)**

Procedures shall apply to the circulation of goods inside the free zone as follows:

Submission of the request form for the circulation of goods inside the free zone certified by the free zone administration with the following attached:

- a. Invoice for the value of goods.
- b. Issuance permit from the company that owns the goods.
- c. Inspection of goods that are to be disposed of.
- d. Payment of due duties and fees if for personal use.

### **Article (161)**

A part of any port labeled a “free maritime zone” in which commercial activities and corresponding services are performed may be allocated for:

- a. Sale and purchase of imported goods.
- b. Transit operations for transiting goods.
- c. Handling and storage service.
- d. Re-transporting.

## **Part (6)**

### **Miscellaneous Provisions**

#### **Chapter (1)**

#### **Relief Shipments**

### **Article (163)**

“Relief shipments” shall refer to the following:

- a. Goods, foodstuffs, medical supplies, clothing, blankets, tents, prefabricated houses, water purification and store materials, and other goods that fall under basic needs supplies sent as aid to people affected by disasters.
- b. All tools, vehicles, other means of transportation and specially-trained animals, supplies, materials and personal belongings, and other goods belonging to relief workers.

#### **Article (164)**

Priority shall be given to the release of relief shipments for export, transit, or temporary admission.

#### **Article (165)**

A simplified customs declaration may be submitted for incoming or exported goods for relief. The procedures shall be settled within one month of the goods' entry into the customs territory.

#### **Article (166)**

The declaration of goods and documents related to relief shipments may be submitted, recorded, and verified prior to the arrival of goods and released upon arrival.

#### **Article (167)**

Relief shipments may be released after regular working hours. Relief shipments may be entered from ports other than the designated customs ports upon the approval of the General Director.

#### **Article (168)**

Relief shipments shall be exempt from certain import and export restrictions upon the approval of the General People's Committee for Manufacturing, Economy and Commerce, subject to environmental and health restrictions.

#### **Article (169)**

Relief shipments arriving as gifts on behalf of accredited entities to be used by these entities or under their supervision, or to be distributed free of cost after the approval of the competent authorities, may be released.

### **Chapter (2)**

#### **Dispute Settlement Committee**

#### **Article (170)**

A committee to settle customs disputes shall be formed by virtue of a decree issued by the Secretary. It shall be presided over by a judge whose degree is no less than president of a first instance court. He shall be appointed by the Secretary of the General People's Committee for Justice. A delegate from the Customs Authority appointed by the General Director, as well as the person concerned, shall be members. The committee's task shall be settling disputes that occur between the person concerned or his legal agent and customs over values, origin, or tariffs.

#### **Article (171)**

A secretary shall be appointed for the committee whose task shall be to receive grievances and record them in special registers, and regularly organise the committee's sessions. He shall maintain the confidentiality of the committee's work and shall be appointed by virtue of a decree issued by the General Director.

#### **Article (172)**

If a dispute arises between customs and the owner of the goods or his representative over value, origin, or tariffs, the owner of the goods or his representative must submit a grievance by virtue of a form designated by the General Director in which he shall mention the reasons that led him to object in this regard. He shall submit a grievance request to the director of the competent directorate within fifteen days of the date of payment of customs duties and other duties and fees to remain as a guarantee until the matter of the dispute is adjudicated. The director of the directorate shall refer the grievance to the committee's secretary within a maximum of ten days.

#### **Article (173)**

During the session, the chairman may authorize the hearing of people and conduct the necessary inquiries and tests that he deems conducive to uncovering the truth. If it is revealed that the dispute is not related to value, origin, or tariffs, the chairman shall decide to definitively dismiss the grievance for lack of jurisdiction.

#### **Article (174)**

If the contents of the grievance are determined by the committee to be sound, the chairman shall issue a reasoned decision in which he rules to return the guarantee either in part or in full. The Customs Administration shall return the guarantee subject of the decision.

#### **Article (175)**

In all cases, recourse to the Dispute Settlement Committee is forbidden if the law has stipulated a special procedure for determining the type, origin, or value of goods.

#### **Article (176)**

The committee shall take action in grievances brought thereto within a period of 30 days from the date the grievance is recorded in the designated registers. The committee secretary shall notify the two parties in the dispute of the date and place where the session shall convene.

#### **Article (177)**

The committee secretary shall bear responsibility for notifying the two parties of the dispute of the committee's decision regarding the dispute brought before it within ten days of the date of the decision's issuance.

#### **Article (178)**

In all cases, the two parties of the dispute may reconcile before action is taken on the grievance by the committee, which shall be notified of the reconciliation and shall record the same in its registers.

### **Closing Part**

#### **Article (179)**

The General Director shall issue a decree specifying the procedures that must be taken in the following cases:

- a. Procedures for the arrival and departure of ships and airplanes.
- b. Procedures for the unloading of goods from ships and airplanes.
- c. Procedures for shipping goods by ship and airplane.

#### **Article (180)**

The General Director shall issue a decree for the formation of a damage of goods committee, which shall designate the geographic scope of its work and the organising guidelines therefor.

**Article (181)**

The Secretary shall issue a decree specifying the manner in which marine debris and its equivalent shall be dealt with in regards to the collection of customs duties and other duties and fees.

**Article (182)**

Customs duties and other duties and fees may be paid digitally. The methods and processes for digital payment shall be determined by virtue of a decree issued by the Secretary.

**Article (183)**

The methods and processes for certifying documents, signatures, and electronic stamps shall be determined by virtue of a decision issued by the General Director.

**Article (184)**

The customs forms used in implementing this regulation shall be determined by virtue of a decree issued by the Secretary and shall observe the provisions of Article (132) thereof.



**Great Socialist People's Libyan Arab Jamahiriya**  
**Customs Authority**  
**Customs Office**  
**Form for Quantities Exiting the Warehouse for Domestic Consumption**

Number and date of declaration .....

Number and date of receipt .....

Type of goods .....

Quantity .....

Date of exit .....

Notes: Upon full depletion of the quantity for which customs duties and other duties and fees have been paid for by virtue of customs declaration number ( ) it shall be recorded in the warehouse register. If the full quantity is not depleted, then the partial or full amount shall be included in the warehouse register. The remaining stock shall be recorded in the storage ledger in which the total quantity is recorded.

**Warehouse Owner Signature**

**Warehouse Customs Signature**

**Signature of Office Head**

**Great Socialist People's Libyan Arab Jamahiriya  
General People's Committee for Planning and Finance  
Customs Authority  
Storage Ledger**

Customs office .....

Public / private warehouse .....

Deposit Document	Date	Incoming			Disbursed			Declaration Number	Notes

**Great Socialist People's Libyan Arab Jamahiriya**  
**General People's Committee for Planning and Finance**  
**Customs Authority**

**Customs office .....**

**Warehouse Lock Form**

I, ..... , in my capacity as the owner of the (public/private) warehouse established by virtue of the decision of the Secretary of the General People's Committee for Planning and Finance No. (.....) of (.....) hereby apply for the lock of the warehouse located in ..... in area .....

With my commitment to the disposition of the goods deposited in the warehouse according to the stipulations of Article (128) of Law (10) of 2010 AD on customs, within the legally prescribed period, I pledge to abide by paying all legal obligations accrued for the warehouse lock.

**Warehouse Owner Signature**

**Warehouse Customs Signature**

**Signature of Office Head**

**Great Socialist People's Libyan Arab Jamahiriya  
General People's Committee for Planning and Finance  
Customs Authority  
Notice of Goods Sent to Customs or Warehouse Storehouse**

**Office Name or Location** .....

**Importer Name and Address** .....

**Number of Items** .....

**Description of Goods** .....

.....

.....

.....

**Reason for Goods Transfer** .....

.....

**Customs Employee Name** .....

**Customs Signature**

**Date** .....

**Receipt for Goods Sent to Customs or Warehouse Store**

**Importer Name** .....

**Number of Items** .....

**Description of Goods** .....

**The above-mentioned goods were recieved**.....

**Date** .....

**Name** .....

**To** .....

**Receiving Customs** .....

**Great Socialist People's Libyan Arab Jamahiriya  
General People's Committee for Planning and Finance  
Customs Authority  
Agreement Form**

I, ....., in my capacity as representative of the company or cooperative, declare my wish to transport imported goods from ..... arriving on the ship ..... on ..... bill of lading number .....

Number of parcels .....

Labels and numbers .....

Description of goods ..... to warehouse ..... for the purpose of depositing them until the completion of customs procedures in their regard.

I, ....., owner of the warehouse, declare that I accept the request submitted by the first party the owner of the goods and that I bear the legal responsibilities arising from the storage of goods before all competent authorities. I also bear all legal responsibilities stipulated in Law No. (10) of 2010 AD on customs and its executive regulation and all regulations in force.

**Goods Owner Signature**

**Warehouse Owner Signature**

**Certification of Head of Competent Customs Office**

.....

**Great Socialist People's Libyan Arab Jamahiriya**  
**General People's Committee for Planning and Finance**  
**Customs Authority**

**Form for Permitted Operations in the Warehouse (Private/Public)**

Customs office .....

Warehouse (public/private) .....

Date	Type of Goods	Type of Commercial Activities	Addition	Quantity	Manufactured Goods	Notes

**Signature // Warehouse Customs**

**Signature // Warehouse Owner**

**Great Socialist People's Libyan Arab Jamahiriya  
General People's Committee for Planning and Finance  
Customs Authority**

**Warehouse Deposit Bond No. (.....)**

**Date ...../...../20..... AD**

**Importer Name ..... Warehouse Name .....**

**Ship Name ..... Date of Arrival ..... Bill of Lading Number .....**

No.	Type of Goods	Number of Parcels	Labels	Notes

**Owner of Warehouse Signature .....**

**President of Office Approval .....**

**Exit Gate Signature .....**

**Warehouse Customs Signature .....**

**Great Socialist People's Libyan Arab Jamahiriya**  
**Customs Authority**  
**Customs Office .....**

**Form for Goods Transported from Warehouse under Transit System**

Owner of goods .....

Type of goods .....

Quantity .....

Date of Exit .....

Notes: Goods transported from the warehouse (public/private) under the transit system shall be recorded on the designated form. They shall be subject to the transit procedures stipulated in Law No. (10) of 2010 AD on customs and its executive regulation.

**Warehouse Owner Signature**

**Warehouse Customs Signature**

**Receiving Customs Signature**

**Signature of Office Head**



**Great Socialist People's Libyan Arab Jamahiriya**  
**General People's Committee for Planning and Finance**  
**Customs Authority**

**Pledge No. (.....)**

I, ....., the undersigned owner of the warehouse (public/private) by virtue of the decree issued by the Secretary of the General People's Committee for Planning and Finance No. .... on ..... have obtained the right to establish a warehouse system for the period of one year to be renewed in accordance with the desire of the Administration, located in ..... in area .....

We pledge to the following:

1. Pay a monetary sum of ..... in advance to the Customs Authority.
2. Bear responsibility for the residency of all employees affiliated with our warehouses and provide all necessary supplies and facilities for them, as well as all expenses resulting from the attachment of other employees to our warehouse if they later become necessary, while noting that the right to evaluate this necessity is maintained by the Customs Administration alone.
3. Inform the Customs Administration six months before, if the company is forced to renounce the status of warehouse. In the event that this notification is not sent, we will cover all expenses for a period of six months.
4. Numerical payment for payable duties and fees for products prepared for consumption upon their exit from the warehouse.
5. Display the goods that must be in the warehouse by virtue of entry and exit registers held by the Customs Authority upon the request of any customs employee therefor.
6. Pay the due amounts for fees and fines for any action taken in the form of smuggling, any deficiency that exceeds the permitted percentages, evasion of fulfilment of duties, mandatory fees for goods in the warehouse, failure to complete transactions for transit and the re-export of goods deposited in the warehouse either by land or by sea to any destination within the designated time, and any false declaration for goods entering or exiting from the warehouse or their type when requested by the Customs Authority.
7. Pay the yearly guarantee of ..... in the summer jointly or individually to the Customs Administration to cover the expenses of supervising the warehouse. Consider the responsibility not only for paying required duties and fees but also for all violations or erroneous procedures.

Completed ..... on .....

**Warehouse Owner Signature**