



**REPUBLIC OF MOZAMBIQUE
MINISTRY OF PLANNING AND FINANCE
MINISTER'S OFFICE**

**Ministerial Diploma no. 19/2003
of the 19 February**

The Decree no. 29/02 of 2nd December extinguished the use of Pre-Declaration (PD) on goods import, keeping the possibility of those goods being imported to Republic of Mozambique under the Pre-Shipment Inspection (PSI).

With the prospect of adopting GATT customs value system, and the current stage of the Customs Reform program which expect a significant reduction, therefore, gradual one of the Pre-Shipment Inspection, but still necessary for certain sensitive goods whose the inspection is more appropriate to be made outside of the country.

Having, therefore, the need of changing several dispositions of Pre-Shipment Inspection Regulation, approved by the Ministerial Diploma no. 207/98 of 25th November and under the attributions conferred to me by line f) of Article 4 of the Presidential Decree no. 2/96, of 21st May, I herewith determine:

Article 1

It is approved the Regulation of Pre-Shipment Inspection and the attached table, which is an integral part of the present diploma.

Article 2

It is hereby revoked the Ministerial Diploma no. 207/98, of 25th November.

Article 3

The present diploma comes into force from its publication date.

Luísa Dias Diogo

Minister of Planning and Finance

REGULATION OF PRE-SHIPMENT INSPECTION (PSI)

Article 1

Type of intervention in pre-shipment inspection

1. The interventions requested by pre-shipment inspection company could be of the following type:
 - a) Simple Inspection;
 - b) Basic Inspection;
 - c) Full Inspection.
2. The simple inspection covers:
 - a) The check of tariff classification of the goods to be imported, according to the customs tariff in force, based on supplier information, otherwise, there is a serious suspicion that this does not reflect the reality, situations which the inspection company will adopt procedures of checking the expected tariff classification for an intervention through the basic or full inspection; and
 - b) The issue of Simple Certified Document - DUC with all available information completed, including the calculation of due impositions.
3. The basic inspection covers:
 - a) The verification, in the places of production, of warehousing or of goods expedition to be exported to Mozambique;
 - b) Physical check of goods in relation with the quality and quantity declared on them;
 - c) Check of tariff classification on goods to be imported, according to the customs tariff in force;
 - d) In case of goods put into containers "*Full Container Load*" (FCL), the respective sealing and the indication of seal numbers and the capacity of the containers;
 - e) Indication of the customs value, based on supplier information; and
 - f) The issue of Simple Certified Document - DUC with all available information completed, including the calculation of due impositions.
4. The full inspection covers:
 - a) The verification, in the places of production, of warehousing or of goods expedition to be exported to Mozambique;
 - b) Physical check of goods in relation with the quality and quantity declared on them;
 - c) The control of technical, commercial or sanitary characteristics of goods, to ensure its conformity with the description and with the respective specifications which will be previously informed to the inspection company;
 - d) Check of tariff classification on goods to be imported, according to the customs tariff in force;
 - e) In case of goods put into containers "*Full Container Load*" (FCL), the respective sealing and the indication of seal numbers and the capacity of the containers;

- f) Indication of the customs value, based on supplier information or in case of PSI company shows strong evidences that there are irregularities in the transaction value to be annotated on the box of remarks of the Simple Certified Document - DUC
- g) The issue of Simple Certified Document - DUC with all available information completed, including the calculation of due impositions.

Article 2

Obligation of pre-shipment inspection

1. It is passable from pre-shipment inspection all definitive imports or for bonded warehouse regime the goods highlighted in the list of products on the attached table.
2. The list of products, recorded on the attached table, will be reduced under three months basis until remaining from PSI some of the following goods:
 - a) Medicines;
 - b) Second hand clothes;
 - c) Food;
 - d) Chemistry products;
 - e) Used vehicles;
 - f) Other products considered sensitive.
3. The up to dating of the table will be made, whenever necessary, in the period referred to by the Director General of Customs.
4. It is excluded from the obligation of pre-shipment inspection goods imported by the following foreign institutions accredited in the Republic of Mozambique, since addressed to their own use and also should be duly agreed:
 - a) Government Institutions;
 - b) Non-government Institutions;
 - c) Multilateral Organisms;
 - d) Diplomatic missions; and
 - e) The establishment under the proper legislation.
5. It is also excluded from the obligation of pre-shipment inspection the luggage and their consignment, the parcel posts and the commercial samples.

Article 3

Responsibility for the costs of pre-shipment inspection

1. The normal expenses from pre-shipment inspection service will be on behalf of the Government account, except whether, by error or omission the exporter or importer needs to carry out new inspection.
2. The extraordinary expenses from pre-shipment inspection incidents on the gifts coming from international agencies for aid and/or foreign governments, sent to our country due to an agreement with the Government of Mozambique, will be supported by the Government.

3. The importers will be responsible by the refund to the Government, in regards with the expenses of pre-shipment inspection which will incur, including remuneration component to pre-shipment inspection company, if:
 - a) The inspection decides to issue by pre-shipment inspection company the NNRF – *Non Negotiable Report of Findings*;
 - b) If the Simple Certified Document - DUC is not raised within the time limit of sixty days;
 - c) If the pro-forma invoice is cancelled, due to the conditions expected in the diploma which regulates the clearance of goods.

Article 4

Procedures to start the inspection

1. For the products subject to PSI, the importer should present or send by E-mail or other means, a copy of pro-forma invoice which clearly shows the goods characteristics to the PSI company.
2. If after checking the pro-forma invoice, no discrepancy has been found by PSI company, in its turn, must order for inspection to their offices in the expedition countries.
3. If, when checking the pro-forma invoice, discrepancies has been found, then should be returned to the importer with the respective notice of the discrepancies ascertained for amendments.
4. The inspection company's office will send to the exporter a form of (RFI – Request for Information/Inspection Letter), so that they start the inspection.
5. If the pro-forma invoice covers more than one shipment the importer/exporter is responsible to inform the PSI company about the details of partial shipments.
6. The pro-forma invoice referred to in number 1 of this Article should hold as minimum the following information:
 - a) Supplier: name, full address, country, telephone and fax;
 - b) Importer: full name and full address;
 - c) Date of issue of the invoice;
 - d) Country of goods origin;
 - e) Port of shipment and ports of trans-shipment, if any;
 - f) Port of goods clearance;
 - g) Full designation of goods, including full technical specifications, as per tariff nomination;
 - h) Quantities, unities, weight, volume or goods measurement;
 - i) FOB price per unity in the current exchange quotation;
 - j) Total FOB amount for each goods in the current exchange quotation;
 - k) Total amount of freight in the current exchange quotation;
 - l) Total amount of insurance in the current exchange quotation;
 - m) Delivery time limit;
 - n) Quotation validity time limit;
 - o) Conditions of payment; and
 - p) Delivery conditions.

Article 5

Obligation to notify about pre-shipment inspection

It is the responsibility of the importer to inform the seller/exporter that should submit the goods to pre-shipment inspection when requested, under the terms of Article 2 of this regulation.

Article 6

Documents running on inspection

1. After the conclusion of each inspection, the pre-shipment inspection company through their offices in the country of supply, will issue the report, as it follows:
 - a) Whenever the inspection is finalized with satisfactory results, the company will issue a Simple Certified Document - DUC;
 - b) Whenever the inspections reveals discrepancy, in terms of quantity, the inspection company should issue Simple Certified Document – DUC, with the quantities detected along the inspection.
2. The pre-shipment inspection company, through their offices in the country of supply will issue a NNRF – Non Negotiable Report of Finding, under the hypothesis of the inspection find irregularities on the documentation, in the goods quality or any other irregularities which should hinder the certification of pre-shipment inspection company.
3. In case of PSI company, having strong evidences of irregularities along the transaction value, then should be annotated in the box of remarks of the DUC.

Article 7

Movement of documents related with inspection

1. The Simple Certified Document - DUC, in quadruplicate, having the pre-shipment inspection certification, will be given to the importer by pre-shipment inspection company.
2. The information about Simple Certified Document – DUC, issued by pre-shipment inspection will be sent under the computing support to the Customs, in terms of communications protocol established in the contract signed between the Government and the inspection company.

Article 8

Periodical reports about the interventions carried out

The pre-shipment inspection company will submit to the Director General of Customs, reports covering the outcomes of the interventions carried out under the terms and conditions agreed in the contract between the Government and the company.

Article 9

Relation of pre-shipment inspection company with the sellers/suppliers

In the relation of pre-shipment inspection company with the sellers/supplier of goods, during the inspection work, the following rules should be respected by the company:

- a) After the notification by the seller/supplier on availability to perform the inspection, the company should make it in the date agreed by exporter, since their inspection request, has been made in writing, it has been received in advance of minimum 3 (three) working days, in relation to the date proposed for inspection and since the goods are completely ready and accessible for the inspection;
- b) The inspection company should ask to the seller/supplier any documentations which the company think is relevant for the execution of its mandate;
- c) The company will request to the seller/supplier a copy of final invoice or related document. The non compliance of this action, by the supplier within 72 hours after the pre-shipment inspection has been made, then should be issued the NNRF - Non Negotiable Report of Finding;
- d) If the pre-shipment inspection company doesn't make the inspection within the time limit expected in the line a), the importer should inform by fax to the Directorate General of Customs along with the PSI company copy, stating that the inspection was not carried out that's why the goods will be shipped.

Article 10

Post-clearance inspection

1. Goods contained in the attached table not submitted to PSI process by failure of importer/exporter should not be cleared.
2. Therefore, and under the importer's request to the Customs, the goods found in the situation described on no. 1 of this Article being subject to post-clearance inspection, on cargo terminals, should be made payment of fine of 10% on goods customs value.
3. The requests of carrying out post-clearance inspection should have all necessary indicative elements for goods identification, submitted and addressed in writing to the head of the respective customs station where goods are stored.
4. After carrying out the post-clearance inspection, when no discrepancy has been found the inspection company should issue the DUC.
5. If discrepancies has been found, in the process of post-clearance inspection, which should not hinder the re-exportation, and whether the weaknesses are not solved within the maximum time limit of 48 (forty eight) hours, the inspection company should issue the NNRF – Non Negotiable Report of Finding. In this case, the goods should be re-exported within the legal time limit.

6. The re-exportation referred to in previous number will be on behalf of the importer's account and should be made in a maximum time limit of 30 (thirty) days from the issuing date of NNRF – Non Negotiable Report of Finding. These, being not re-exported within this time limit, the goods will be reverted on behalf of the Government, who will give the last decision whichever better expected.

Article 11

Expenses from post-clearance inspection

1. The post-clearance inspection, unless made under the Customs authority request or when made because of error and/or omission of PSI company will be paid by the importer, who will perform payment of the respective services to the inspection company.
2. If it is necessary any post-clearance inspection under the request of the customs authority, the costs herewith mentioned will be the responsibility:
 - a) Of the importer, if it comes from the checked irregularity;
 - b) Of the Government, if it is proven the non-existence of irregularities; and
 - c) Of the proper pre-shipment inspection company, if the inspection carried out is a result from the error committed by them
3. In spite of the responsibility of payment of all costs from post-clearance inspection, the making of post-clearance inspection will also put the importer to pay 10% (ten per cent) of fine on the goods customs value subject to inspection.
4. In case of re-occurrence, within the subsequent six months from the last post-clearance inspection, without the prejudice referred to in this Article, the fact will be informed to the Ministry of Industry and Trade, to consider the suspension or cancellation of the importer permit.

Article 12

Appeal of conclusions of the pre-shipment inspection

1. If the importer do not agree with the Simple Certified Document - DUC issued by the inspection company, a new other DU should be completed, which will be its declaration that will be given to the Customs together with the first one.
2. In this situation, the customs station will issue the presented declaration and perform a normal check of goods. If there is a disagreement, by Customs side about the content of declaration, proceedings will be in accordance with goods clearance regulation.

Article 13

Effects of pre-shipment inspection to the thirds

The performance of post-clearance inspection company in carrying out the functions appointed by the Government as well as the existence of any claim in progress, submitted by the importer or exporter, do not hinder the buyers or sellers from their commercial obligation to one another.

Article 14

Time limit to be observed by the inspection company

1. The pre-shipment inspection company will respect the following time limit:
 - a) The sending by delegation in Mozambique to the branch outside the country, where will be performed the pre-shipment inspection, in the following 3 (three) working days after receiving the pro-forma invoice for the inspection;
 - b) All goods physical checks should be started on a requested date by exporter, since its inspection request has been made in writing, it has been received in a minimum advance of 3 (three) working days, in relation to the proposed date of inspection and since the goods are completely ready and accessible for the inspection;
 - c) Finalized the inspection, and the goods being in conformity with the appropriate standard, and the inspection company holding the final working papers, including the final invoice, accurate and acceptable and ensured that all other principles of importation had been complied by exporter, the inspection company will issue the Simple Certified Document - DUC, in the maximum time limit of 2 (two) working days, after such documentation has been received;
 - d) The inspection company will ensure that the Simple Certified Document - DUC regarding the importation subject to inspection should be put available to the importer in the company's office in Maputo in the maximum time limit of 1 (one) working day after the conclusion of the described stage in the line c);
 - e) The inspection company will send the Simple Certified Document - DUC to their branches outside of Maputo, in Mozambique, so that they reach their destination place in a maximum time limit of 3 (three) working days.
2. In case, where, instead of Simple Certified Document - DUC the company be in need of issuing the NNRF – Non Negotiable Report of Finding, the time limit to be observed will be the same stipulated in the pervious number.

Article 15

Penalties applied to the inspection company

1. By non compliance of the time limit of the previous Article, the pre-shipment inspection company will be subject to the penalties expected in the respective contract.
2. All charges of post-clearance inspection will be for the account of pre-shipment inspection company, if it is necessary because of the inspection company not complying with the established time limit to perform the pre-shipment inspection, while the importer/exporter had been followed the principles of this diploma.

3. Without a prejudice of the expected penalty from the contract, the pre-shipment inspection company will incur in the civil responsibility of paying the indemnity to the Government and to the importer, if it is proven that it has been a weakness by the company in carrying out the inspection, either because the goods do not agree with the quality stressed in the respective invoice or because it is misclassified in terms of the customs tariff, from that causing a loss to the Government.

Article 16

Transitory dispositions

The Director General of Customs will issue the necessary instructions regarding the transitory situations

Article 17

Final dispositions

The omitted cases and the doubts raised from the application of the present diploma will be solved by the dispatch of the Minister of Planning and Finance.

The attached table highlighted in Article 2

CHAPTER AND TARIFF CODE	EXCLUSIONS FROM PRE-SHIPMENT INSPECTION
Chapter 10 – Cereals	Quantities up to 100 Kgs
1102 – Maize Flour	Quantities up to 100 Kgs
1701 – Sugar	None
1507, 1508, 1511, 1512, 1513, 1515 – Cooking oil	Quantities up to 20 L
2523 – Ciment	Quantities up to 100 Kg
Chapter 28 – Chemical products	None
Chapter 29 – Chemical products	None
Chapter 30 – Medicines	Pharmacists specialties – Quantities considered reasonable for own consumption
Chapter 32 – Colouring materials	3201, 3202, 3203, 3204, 3205, 3206, 3207, 3208, 3209, 3210 and, Quantities up to 50 Kg in all other positions.
4011 – New tyres	Maximum of 5 tires.
Chapter 48 – Paper	Positions 4806, 4809, 4814, 4815, 4816, 4817, 4821, 4823, and Quantities up to 100 Kg in all other positions.
6309 – Used Clothes	Quantities up to 100 Kg
8506 – Dry cell batteries	None
8701 – 8705, 8711 - Vehicles.	New vehicles which have never been registered in the origin country.

The goods described above are subject to compulsory pre-shipment inspection.

Where the chapter is shown, this means that all goods highlighted in that chapter are subject to pre-shipment inspection.

The quantities shown in the exclusions refer to a transaction (ie, can be declared on the DU until the indicated quantity).

See updated July 2006 PSE list

APPENDIX A - POSITIVE LIST

CHAPTER & Tariff Code position	EXCLUSIONS FROM PRE-SHIPMENT INSPECTION
Chapter 2 PP 02.07.12; 02.07.14; 02.07.25; 02.07.27; 02.07.33; 02.07.36. – Frozen Poultry	None
Chapter 11 PP 11.02 - Flour	Quantities up to 20 Kgs
Chapter 15 PP 15.07; 15.08; 15.11; 15.12; 15.13; 15.15 – Cooking Oil and Raw Cooking Oil	Quantities up to 10 litres
Chapter 17 PP 17.01 - Sugar	None
Chapter 25 PP 25.23 - Cement	Quantities up to 100 Kgs
Chapter 28 - Chemical products	None
Chapter 29 - Chemical products	None
Chapter 30 – Medicines	Quantities considered reasonable for personal use
Chapter 34 PP 34.01 – Soaps, products and active tension preparations, etc.	None
Chapter 36 PP 36.05 – matches	None
Chapter 40 PP 40.11; 40.12 – New tyres and used tyres	Quantities up to 5 tyres
Chapter 50 PP 50.07 – material in silk or silk waste	None
Chapter 52 PP 52.08; 52.09; 52.10; 52.11; 52.12 – Cotton Materials (all)	None
Chapter 54 PP 54.07 – material made of synthetic thread (except mosquito nets- 5407.42.10) PP 54.08 –material made of artificial thread	None
Chapter 55 PP 55.12;55.13;55.14;55.15;55.16 –material made of broken synthetic fibres	None
Chapter 63 PP 63.09 – Used clothes and shoes	Quantities up to 100 Kgs
Chapter 84 PP 84.15 –air conditioning equipment and machines PP 84.18 – Fridges and Freezers	None
Chapter 85 PP 85.06 – Dry cell batteries, PP 85.07 – Batteries	None
Chapter 87 – Vehicles 87.01 – 87.05; 87.11	New vehicles which have never been registered at place of origin

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