BOLUDA

Message from the Competitiveness Unit

Cape Verde is an island country with poor natural resources and a small domestic market, with approximately 500,000 inhabitants. Its favourable geographical location has always given it prominence in international trade, reaching, in the XVI and XVII centuries, an important role in the Atlantic through the slave trade. This activity was abolished in the 19th century, which contributed to the decline of the Cape Verdean economy, but progressively the country regained its importance, becoming an important commercial centre and a useful stopover point along the main navigation routes.

Today, in Cape Verde, International Trade continues to be prevalent and is one of the important themes of the international assessment of the Country's Business Environment, made by the World Bank.
The Government has always recognized the importance of improving the business environment as a way of building Cape Verde as a robust, resilient and competitive investment destination for domestic, diaspora and foreign direct investment. Empirical evidence shows that improving the business environment accelerates the pace of economic growth, increases the per capita income of a country, which are determinants for the quality of life, employment levels and increased productivity.

For the cross-sectoral coordination of reforms impacting business environment improvement, the government established the Competitiveness Unit (CU) in 2018. In exercising its competence, the UC recognises that International Trade, one of the important issues characterising the business environment, is a key driver of economic growth and plays a decisive role in promoting the private sector. Uncertainty about trade procedures and the application of existing regulations creates increased risk and exacerbates transaction costs and delays investment.

In this line of action, a major reform is being developed and implemented - the Single Window of Foreign Trade (JUCE) project - which will allow the debureaucratization, simplification and facilitation of foreign trade, making the processes of export and import more efficient and harmonious, and centralises the intervention between the government and private agents active in foreign trade.

In the same line, it is now highlighted the publication of the Foreign Trade Manual, essential mechanism of the intended reform, since it facilitates foreign trade, introduces transparency, predictability, simplification, harmonisation and standardisation of services, aiming the rationalisation of the procedures related to importation and exportation, and contributes for the minimization of the compliance costs, fundamental for the creation of a stable and predictable commercial environment.

The Competitiveness Unit would like to take this opportunity to congratulate the multidisciplinary team that produced this Foreign Trade Manual, which is expected to be useful to all agents and operators in the area of foreign trade, but also to be a reference element for researchers in the area and the academic community.

Message from the National Trade Commission - CNC

The organisation of the government institutions involved in foreign trade presents decentralisation as a characteristic, that is, it does not have a specific body that centralises all the national interests. In other words, the Cape Verdian foreign trade institutions are organised according to their area of competence, as can be seen in the Foreign Trade Procedures Manual.

In this sense, this manual of procedures, the first prepared in Cape Verde, serves as a consultation to professionals working in foreign trade (...)

However, in order to remedy this decentralisation, the National Trade Commission (CNC) was created. This is an inter-institutional body for coordination, consultation and proposition of national trade policy as well as preparation for participation in bilateral, regional and international trade negotiations. The CNC serves as the competent body to promote dialogue between the Government, public bodies, international bodies linked to trade, the private sector and other interested parties in the area of trade, defining objectives, strategies and reform initiatives in the trade sector, including advising and making recommendations to the Government on issues of trade facilitation, international treaty obligations and trade harmonisation.

In the field of foreign trade, the Government plays several roles at the same time, such as that of negotiator with regional and international partners and organisations and also that of promoter by supporting domestic enterprises to reach the foreign market.

Therefore, foreign trade is the way in which a country organises itself in terms of policies, laws, rules and regulations that govern the execution of operations of import and export of goods and services with foreign countries. Foreign trade includes export and import trade operations.

Foreign trade cannot be understood only in a fragmented way, but also in a systemic, joint and complementary way. In this sense, this manual of procedures, the first prepared in Cape Verde, serves as a consultation to professionals working in foreign trade, public and private officials who work with economic operators and also the educational class that deals with trade issues.

Content

Chapter 1 – Introduction 6
1.1 Acronyms 7
1.2 Glossaries 11

MODULE I

FUNDAMENTALS AND STRATEGIES OF INTERNATIONAL TRADE

Chapter 2 - Trade Relations - International Agreements and Treaties 15
2.1 World Trade Organisation (OMC) 15
2.2 World Customs Organization (OMA) 15
2.3 Growth And Opportunity for Africa (AGOA) 16
2.4 Economic Community of West African States (CEDEAO) 17
2.5 African Continental Free Trade Zone (ZCLCA) 19
2.6 General System of Preferences + (SGP +) General System of Preferences + Registered Exporter System 19
2.7 United Kingdom General System of Preferences (GPS) 21

Chapter 3 - Commercial Contracts 24
3.1 Terms or conditions of sale (Incoterms 2020) 24
3.2 International Cargo Transport Insurance 25
3.3 International contracts for the purchase and sale of goods 26
3.3.1 Essential elements that make up the International Purchase and Sale Agreement 26
3.3.2 Necessary Clauses of the International Purchase and Sale Agreement 26

Chapter 4 - Main Institutions/Bodies Acting in Foreign Trade 29
4.1 Customs authority 29
4.2 Trade, Industry and Energy Authority 30
4.3 Authority responsible for Agriculture, Forestry and Livestock 30
4.4 Environmental Authority 31
4.5 Port Concessionaire 31
4.6 Airport Concessionaire 31
4.7 Road Transport Authority 32
4.8 Chambers of Commerce 32
4.9 CV TradeInvest 32
4.10 Fisheries Authority 32

4.11 Independent Health Regulatory Authority 32
4.12 Fiscal Police Authority 32
4.13 Entity responsible for the health sector 33
4.14 Authority responsible for the tourism sector 33

Chapter 5 - Basic Information on Foreign Trade 34
5.1 Customs clearance 34
5.2 Destinations and Customs Regimes 35
5.3 Customs Warehouse (CA Article 395) 36
5.4 Temporary import 37
5.4.1 Authorization of the regime (Art. 482 of the CA) 37
5.4.2 Duration of temporary importation (Art. 483 of the CA) 38
5.4.3 Ascertain of the regime (Art. 484 of the CA) 38
5.5 Temporary export 38
5.5.1 Authorization of the regime (Art. 495 of the CA) 38
5.5.2 Identification of temporarily exported goods (Art. 495 of the CA) 38
5.6 Customs Litigation 38
5.7 International Business Centre (CIN) 39
5.8 Import licensing and issuance of the Foreign Trade Bond (TCE) 41
5.9 Customs tariff and nomenclature 42

MODULE II

FOREIGN TRADE PROCEDURES

Chapter 6 - Import 46
6.1 Administrative Procedures 46
6.1.1 Importer's License 46
6.1.2 Documents required for importer license 47
6.1.3 Industrial import approval 48
6.1.4 Request and authorization of the TCE 50
6.1.5 Prior sanitary import permit 50
6.1.6 Phytosanitary procedures for the importation of plants and products of plant origin, regulated articles, pesticides and fertilisers 53
6.1.7 Procedures for importing fishery products 58
6.1.8 Certifications of the National Directorate of the Environment - Ecological Products & Protection of Fauna and Flora 59
6.1.9 Vehicle registration process 61
6.1.10 Weapons and Ammunition 62
6.1.11 Marketing authorisation for pharmaceutical products 63

6.1.12 Special import of medicines 65
6.1.13 Cosmetic Products 66
6.1.14 Hospital equipment and products 67
6.2 Logistics and Transportation 67
6.2.1 Air transport 67
6.2.2 Maritime transport 71
6.2.2.1 Agencies / Freight Forwarders 71
6.2.2.2 Ports Concessionaire 71
6.3 Customs Procedures 73
6.3.1 Customs Clearance - General Procedure 74
6.3.2 Pick up Request 75
6.3.3 Request for Exemption 76
6.3.4 National Transit 78

Chapter 7 - Export 79
7.1 Administrative Procedures 79
7.1.1 Commercial Licensing for Export 79
7.1.2 Non-preferential certificate of origin 79
7.1.3 Sanitary and Phytosanitary Certification for Export 79
7.1.3.1. Sanitary Certification of Fishery Products 83
7.2 Logistics and Transportation 83
7.2.1.1 Managing Entity of Airport Export Terminals 83
7.2.2 Maritime transport 83
7.2.2.1 Port Concessionaire 83
7.3 Customs Procedures 84
7.4 Means of payment 84

MODULE III

ANNEXES

Chapter 8 - Legislation and other Relevant Information 88
8.1 Legislation 88
8.2 Other Costs 94
8.2.1 ENAPOR 94
8.2.2 DGASP 96

TCE Documents 104

List of Official Dispatchers in Cape Verde 106

Bibliography 108

The Foreign Trade Manual

“ is a project arising through the implementation of some trade facilitation measures ”

namely the Single Window of Foreign Trade (JUCE – Janela Única do Comércio Externo) project, where it was found the need for greater dissemination of information on foreign trade procedures, so that economic operators and the general public can better understand the role of all anuents in the process of sending and receiving their goods.

The ignorance of the processes and procedures affecting international trade has greatly impaired the country's performance with tended negative indicators. The sharp decline in the rankings of the business environment and competitiveness, labels Cape Verde as an uncompetitive country, when compared with similar economies, by the attraction of business and private business investments.

The pandemic situation, now experienced, brought several negative impacts to the country, which cooled the dynamics of the growth of the business environment. This situation has given more emphasis to the need to provide more and better information that provides a lever of the economy of Cape Verde.

This Handbook, referring to the provisions of Article 1 of the Agreement on Trade Facilitation, Publication and Provision of Information, is a tool that governs, supports and organizes foreign trade. It also preaches a balance between security and facilitation based on more information provided to operators in order to understand administrative processes and their responsibilities within the country's governance system.

Also in this context, to face the challenges, it was created through decree-law No. 65/2016 of December 28, the National Trade Commission (CNC), which is an interinstitutional body for the coordination, consultation and proposition of national trade policy as well as the preparation of participation in bilateral, regional and international trade negotiations chaired by the member of the Government responsible for trade. In compliance with the provisions of Article 23 of the Trade Facilitation Agreement, it was created through Resolution No. 72/2017 of 7 July regulating the National Trade Commission (CNC), the National Trade Facilitation Committee (CNFC). The CNFC was also regulated from the CNC, which is the entity responsible for implementing trade facilitation measures. The CNFC was revised by Resolution No. 02/2020 of 3 January.

Trade facilitation refers to the simplification, harmonization and rationalisation of international trade procedures, comprising the activities, practices and formalities involved in the collection, presentation, communication and processing of data required for the movement of goods in international trade, related to import, export and transit, as well as transportation, payment, insurance and financing requirements.

These measures will allow the gains of facilitation and efficiency to be better consolidated and thus future advances can be made with a greater balance between the necessary control and the facilitation of trade that is desired.

1.1 Acronyms

Acronyms	Description
SPS Agreement	Application of Sanitary and Phytosanitary Measures
AGOA	African Growth Opportunity Act
AIM	Marketing Authorisation
ASA	National Airport and Air Safety Company
AWB	Airway Bill
BI	Identity Card
BL	Bill of Lading
CA	Customs Code
CAF	Firm Admissibility Certificate
CAI	Certificate of Authorization for the Importation of Medicinal Products
CAUT	Tourist Utility Assessment Commission
CE	Marking certificates or test certificates
CEDEAO	Economic Community of West African States
CFR	Cost and Freight
CIF	Cost Insurance and Freight
CIN-CV	Cape Verde International Business Center
CIP	Carriage and Insurance Paid To
CIPV	International Convention for Plant Health Protection
CITES	Convention on International Trade in Endangered Species
CNI	National Identification Card
COMNAC	National Commission on Small Arms and Light Weapons
CPT	Carriage Paid To
CVH	Cabo Verde Handling
DAP	Delivered at Place

Acronyms	Description
DAT	Delivery at Terminal
DDP	Delivered Duty Paid
DGA	General Directorate of Customs
DGASP	General Directorate for Agriculture, Forestry and Livestock
DGCI	General Directorate of Contributions and Taxes
DGPOG	General Directorate of Budget Planning and Management
DGT	General Directorate of Labor
DGTR	General Directorate of Road Transport
DM	Medical Devices
DNICE	National Directorate of Industry, Trade and Energy
DNPN	National Directorate of the National Police
DPU	Delivered at Place Unloaded
ENAPOR	National Port Administration Company
ERIS	Independent Health Regulatory Body
ETA	Estimated time of arrival
EXW	Ex Works
FAZ	Free Alongside Ship
FCA	Free Carrier
FOB	Free On Board
GATT	General Agreement on Tariffs and Trade
IEM	Special Import of Medicines
IGP	General Fisheries Inspection
IGT	General Labour Inspectorate
IMO	International Maritime Organization

Acronyms	Description
Incoterms	International Commercial Terms
INCV	Cape Verde National Press
INPS	National Institute of Social Security
ISPS Code	International Ship and Port Facility Code
JUP	Single Port Window
MAA	Ministry of Agriculture and Environment
MS	Ministry of Health
NIF	Tax Identification Number
OCDE	Organisation for Economic Cooperation and Development
OIE	World Organisation for Animal Health
OMA	World Customs Organization
OMC	World Trade Organization
PIE	Special Import Procedure
PIF	Border Inspection Posts
PSIE	Simplified Special Import Procedure
PT	Technical Opinion PT
REX	Registered Export System
SAEF	Warehouse services Warehouses and Inspection
SC	Trade Service
SGMIES	Management and Maintenance Service of Health Infrastructure and Equipment
SGP	General System of Preferences
SH	Harmonised System
SOLAS	International Convention for the Safety of Life at Sea
SRPA	Customs Procedures and Procedures Service

Acronyms	Description
TCE	Foreign Trade Title
TEA	Customs Statistical Rate
TN	National Transit
TP-C	Port tariff applied to Cargo
TP-N	Port fare applied to the Ship
TTEM	Traffic And Goods Stowerate
XML	*Extensible Markup Language*
ZCLCA	African Continental Free Trade Zone

1.2 Glossaries

For the purposes of this document, the following are:

- **Customs enforcement agents:** Members of the Tax Guard or other corporations with legal competence to carry out customs supervision;
- **Trade agent:** Natural or legal person who, through a contract, undertakes to promote, on behalf and under the name of the other party, the conclusion of acts of trade in a given area, in an autonomous and stable manner, and for remuneration;
- **Storage area:** Place for the deposit of products for sale. It does not include the exhibition and sale areas, nor the areas occupied by the offices, administrative services and other spaces not directly linked to storage;
- **Weapons:** It is considered weapon, any instrument or device that has the characteristics of instruments, mechanical devices or objects that the Armed Forces uses for defense or attack, even if it is of different type.
- **Firearm:** Any portable device or mechanism intended to trigger the deflagration of a propellant load generating a mass of gases whose expansion propels one or more projectiles.
- **Customs authority:** The national customs administration responsible for the application of customs legislation and any other authority which, under national law, has jurisdiction to apply certain customs legislation;
- **Release of goods clearance:** The making available to a particular person by the customs authorities of the goods for the purposes provided for in the customs procedure to which they are subject;
- **CEDEAO Certificate of Origin:** The certificate identifying goods and certifying raw materials originating in CEDEAO and therefore benefiting from the Trade Liberalization Scheme;
- **Customer:** Natural or legal person who acquires goods or services upon payment of their price;
- **Purchasing fee:** The remuneration paid by an importer to its agent for the services provided on its behalf in the acquisition of the goods subject to the clearance of their customs value;
- **Concessionaire:** Natural or legal person who, acting on his own account and in his own name, undertakes through one contract to buy to a third party for resale, in a given area, goods produced or distributed by the mentioned third party;

- **Customs controls:** Specific acts carried out by the customs authorities in order to ensure the correct application of customs legislation and other legislation governing the entry, exit, transit, transfer, storage and use for special purposes of goods circulating between the customs territory of Cape Verde and any other territories;
- **Pick up credit:** Facility instituted by Decree No. 146/91, october 5th, in favour of official brokers and dispatchers, and extended, in duly substantiated cases to other entities, which allows, in the exception of the legally required assumptions, in particular, the offer of a suitable bank guarantee, the authorization to pick up goods in the process of customs clearance, after their verification and even before the clearance of the customs debt;
- **Rights credit:** Facility established by DL No. 146/91, october 5th, in favour of any person interested in a process of clearance of goods imported for consumption, which allows, in the exception of the required legal conditions, in particular, the provision of a suitable guarantee and the subjection to payment of interest accrued and due on the debt, the extension of the normal period of payment of duties and other charges due in relation to those goods;

- **Declaring:** a person making a declaration in his own name or the person on whose behalf that declaration is made;
- **"Other customs charges", "other taxes or "other taxes and charges":** Taxes, fees, charges, excluding import customs duties, which fall on the value of the goods to be imported or exported and whose collection is legally committed to the customs authorities;
- **Holder of the goods:** the person who owns the goods or who holds an equivalent right of disposal over or exercises physical control over them;
- **Export duties:** Customs duties due at the time of export of goods;
- **Import duties:** Customs duties due when importing goods;
- **Remission:** Exemption from payment, in accordance with the law, of the obligation to pay import duties and other taxes due which have not been paid;
- **Distribution:** Set of physical, financial and management operations, necessary in an economic system to place the goods produced available to final consumers;
- **Customs debt:** The obligation for a person to pay the amount of import and export duties that apply to certain goods under the current legislation;
- **Related debt:** The debt generated by the other charges falling on the value of the goods to be imported or exported, the settlement and recovery of which falls to the customs authorities, as well as the debt relating to the fine imposed in customs tax infringement proceedings;
- **Franchising trade establishment:** A trade establishment operating on the basis of a franchise contract established between the company of which it is a part and a third party, whereby the franchisor gives the first (the franchisee) the right to use its trade mark and its business technology, under certain considerations;
- **Customs Office:** The place designated by the customs authorities for the control, supervision and presentation of imported or exported goods and for the payment of duties due over them;
- **Supervision by customs authorities:** The action taken at general level by the customs authorities to ensure compliance with customs legislation and, where appropriate, the other provisions applicable to goods subject to customs control;
- **Customs formalities:** All the operations to be carried out by the persons concerned and by the customs authorities in compliance with customs legislation;
- **Relief:** It is the entry free of duties and any other customs duties;
- **Risk management:** Systematic risk identification and the implementation of all necessary measures to limit risk exposure. This includes the collection of data and information, risk analysis and assessment, the implementation of actions and regular monitoring and review of the evaluation process and its results;
- **Import:** The act of introducing goods into the national customs territory;
- **Import for consumption:** The introduction of goods into the Cape-Verdean customs territory from third-party customs territories and the release for free circulation, by paying import duties and other taxes due;
- **Licensing of activities:** the act of authorisation by the commercial authority or its delegation of the exercise of an economic activity by a commercial company;
- **Import licenses:** the act of approval by the commercial authority of the importation of a particular good by the licensed or unlicensed operator. Most goods are subject to automatic license, others are exempt from licenses and others are subject to non-automatic licenses;
- **Own trade mark (distributor's trade mark):** Brand used by the distributor to identify articles marketed only in its establishments;
- **Temporary export goods:** Goods subject to outward processing procedure;
- **Import goods:** goods subject to a suspensive procedure and goods which, specifically subject to inward processing procedures in the form of drawback and processing system under customs control, are subject to formalities for release for

free circulation;

- **Prohibited goods:** goods whose transit, import or export is prohibited under applicable law;

- **Ammunition:** Devices intended to be fired or propelled through firearms;

- **Explanatory notes:** An auxiliary document of extreme importance for the interpretation of the scope of the various tariff positions in the classification of goods; The explanatory notes provide a commentary on the scope of each position, providing a list of the top products included and excluded, as well as technical descriptions of the products in question (appearance, properties, production method, and uses) and practical guidance for their identification. Where appropriate, explanatory notes also clarify the scope of certain sub-positions;

- **Processing operations:** the complement of the manufacture of goods, including their assembly or coupling and adaptation to other goods, may consist, inter alia, of:

  i. processing of goods;
  ii. repair of goods, including their recovery and tuning;
  iii. use of certain goods, defined by the national authorities, which are not in compensating products, but which allow or facilitate the procurement of these products, even if they disappear in whole or in part in the course of their use.

- **Customs Tariff:** The legal legislation consisting of charts or tables in which the various goods are designated, systematically distributed and codified by positions, subpositions and tariff items, and in which the taxes fees that are subject to the goods are placed on entry into the Cape Verdean customs territory are recorded;

- **Customs representative:** Any person appointed by another person to carry out the acts and formalities required by customs legislation with the customs authorities in the context of the procedure for the clearance of goods and means of transport;

- **Explosive substances:** chemical compounds or mixtures of chemicals which may produce explosive or pyrotechnic effects, including explosive substances or bodies, those which are commonly used in war or in the industry of this name, such as ordinary gunpowder and its derivatives, cotton gunpowder and other nitro celluloses, nitroglycerin, dynamite, explosive

gelatin and its derivatives, picrite, fulminates, smokeless gunpowder and all substances that may have military or industrial applications of the same nature suddenly develop a large volume of gases producing considerable mechanical effects, under the action of shock, heat, electricity, light or chemical influence;

- **Rate of income:** the quantity or percentage of compensating products obtained in the processing of a specified quantity of imported goods;

- **Holder of the procedure:** the person making a customs declaration or on behalf of whom the customs declaration is made, or the person to whom the duties and obligations of such person relating to a customs procedure have been transferred;

- **Transaction:** process by which the possession of a good is transferred through a consideration;

- **Transshipment:** The customs operation, under which, under customs control, goods are transferred from the means of transport in which they were imported into another means of transport for export, and the transfer is carried out in a customs zone which is authorised for the importation of goods;

- **Customs union:** a customs union is a free trade area within which members determine and apply a common external tariff (customs duties) to goods from third countries;

- **Examination or inspection of goods:** The operations by which the customs authorities carry out the physical examination of the goods in order to ensure that their nature, origin, state, quantity, value, tariff specifications, including their tariffs and the arrangements to which they may be subject, are in conformity with the customs declaration data;

- **Documentary verification, verification of documents or checking of the declaration of goods:** The operations by which customs carry out the examination of the documentation submitted, including operations by which the customs authorities make sure that the declaration of goods is made correctly and the necessary supporting documents meet the required conditions.

MODULE I

FUNDAMENTALS AND STRATEGIES OF INTERNATIONAL TRADE

2.1 World Trade Organization (WTO)

The World Trade Organization (WTO) is an organization that was created with the aim of overseeing and facilitating international trade. The WTO officially emerged on 1 January 1995 with the Marrakesh Agreement, replacing the General Agreement on Tariffs and Trade (GATT), which began in 1947. The organisation deals with trade regulation between its member countries; provides a framework for negotiating and formalising trade agreements and a conflict resolution process aimed at strengthening participants' membership of WTO agreements, which are signed by representatives of member state governments and ratified by national parliaments. Most of the issues on which the WTO focuses are from previous trade negotiations, especially from the Uruguay Round (1986 1994). The round of negotiations currently underway the first of the WTO (the previous ones were GATT rounds) - is the Doha Round.

> **"The main objective of the WTO is to promote, as far as possible, the fluidity, freedom and predictability"**

of trade by:

i. Administration of commercial agreements;

ii. Serving as a framework for trade negotiations;

iii. Resolution of commercial disputes;

iv. Review of national trade policies;

v. Strengthening the commercial capacities of developing economies;

vi. Cooperation with other international organizations.

2.2 World Customs Organization (OMA)

The World Customs Organisation (OMA), established in 1952 as the Customs Cooperation Council (CCC), is an independent intergovernmental body whose mis sion is to improve the effectiveness and efficiency of customs administrations.

Cape Verde has been a member of OMA since July 1, 1992. The country has placed the instruments of ascension to the Kyoto International Convention for the simplification and harmonisation of customs procedures as of 26 June 2013. According to the notice of Cape Verde published on the OMA website, and evidence gathered in the Customs Code and the Customs Code Regulation indicates that the country has adopted a set of recommendations on customs issues such as:

- The signing of protocols with several partner countries that ensure cooperation between customs administrations (scattered evidence);
- Measures to facilitate the international transport of goods, travel and tourism;
- Measures to promote the harmonised use of information technologies;
- Facilitation and expediting measures of customs procedures;
- Simplification and harmonization measures for customs documents;
- Measures to ensure that adequate legal resources are available to taxpayers;
- Measures to facilitate the implementation of international conventions.

2.3 Growth And Opportunity for Africa (AGOA)

The Africa Growth and Opportunity Act enacted in 2000 allows eligible African countries to export about 6,400 duty-free products to the U.S. This law is based on an extension of the benefits already available under the US GSP, in force until 2025.

Eligibility of countries

In order for a country to qualify for access to the U.S. market under AGOA, it must meet a set of eligibility criteria. Beneficiary countries are determined by the President of the US, taking into account those same criteria.

Product eligibility

> **Products must comply with the Rules of Origin**

and customs requirements so that they can enter the U.S. free of customs fees.

General Rules of Origin

- Be imported directly from the beneficiary country into the U.S.;
- Goods considered eligible must be "cultivated, produced or manufactured" in a AGOA beneficiary sub-Saharan African country at the time of their export;
- Products may incorporate materials from non-beneficiary countries, provided that the sum of the direct cost or value of materials produced in one or more beneficiary countries and the "direct processing costs" incurred in those beneficiary countries is at least 35% of the estimated value of this product at the port of entry into the USA;
- Additionally, 15% of the above 35% may consist of parts/materials originating in the USA.

Required Documentation:

- (i) Certificate of Origin;
- (ii) Commercial Invoice.

Note: Textile and clothing articles which are exempt from customs duties must comply with Special Rules of Origin.

Checklist to export under AGOA

- The commercial invoice is prepared by the manufacturer and includes a description of the goods and their value. The price of the goods shall reflect all the costs necessary for their manufacture. This invoice must include a certification statement of the amount contained therein.
- The Certificate of Origin contains a description of the goods and certifies that they are produced in a particular country. It is purchased from the Cape Verde National Press and completed by the exporter or intermediary.
- Statement made by the intermediary on behalf of the exporter based on the above documents. The intermediary may want to physically inspect the goods to ensure that the declaration is true.
- The goods, together with the Declaration and Certificate of Origin, are sent to the Customs of the exporting country for analysis and certification by the exporter or the intermediary representing the exporter.
- Customs gives authorization for shipment. The Certificate may be endorsed by Customs at no cost.
- The exporter transmits the originals of the commercial invoice and Certificate of Origin to the importer, who is responsible for making the official customs declaration in the United States of America.

Validity of the Certificate of Origin for Textile Products

Valid for a period not exceeding 12 months provided for in the Certificate by the exporter.

Requirements in destination countries

Goods exported under AGOA must comply with environmental, technical, sanitary, phytosanitary, marking and labelling requirements imposed by the recipient countries.

2.4 Economic Community of West African States (ECOWAS)

ECOWAS was created in May 1975 by the Treaty of Lagos. This is a group of 15 countries whose mandate is to promote economic integration in all areas of activity

of the Member States.

ECOWAS Member States are Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Sierra Leone, Senegal and Togo.

ECOWAS's Vision is to establish a region without borders, where the population accesses the region's abundant resources and demonstrates the ability to exploit them by creating opportunities in a sustainable environment. What ECOWAS has established is an integrated region, where the population enjoys free movement, has access to efficient education and health systems and engages in economic and commercial activities while leading a decent life in an environment of peace and security. ECOWAS is expected to be a region governed in accordance with the principles of democracy, the rule of law and good governance.

Trade Liberalization Scheme (ELTC) for products originating in ECOWAS

ECOWAS's Trade Liberalization Scheme (ELTC) was created in 1979 with the aim of supporting the effective implementation of the Free Trade Zone. It is a mechanism aimed at ensuring the free movement of goods, free of customs duties and charges of equivalent effects applicable to imports into ECOWAS.

Companies eligible for ELTC

- **1.** Any company that is located and performs in the 15 ECOWAS member states and that expects to export its products within the region;
- **2.** Companies operating in free zones and under any other particular economic regime or any other customs territory are not eligible.

Note: companies operating in free zones and under any other particular economic regime or any other particular customs territory may not benefit from the ELTC

Products eligible for ELTC

- 1. Agricultural and animal farming products;
- 2.Fishing products originating from the sea, rivers or lakes;
- 3. Mining products;
- 4. Handmade objects;
- 5. Industrial products.

ELTC approval criteria

An industrial product may be considered to originate from the ECOWAS region if it fulfils one of the 3 rules below

- **Rule 1:** product fully obtained (at least 60% of all its raw materials, in quantity, originate from ECOWAS).
- **Rule 2:** when there is a change in the tariff position (raw materials classified in a position other than that of the finished product). This rule is accompanied by a list of exceptions mentioning cases in which the change of position is not decisive or imposes additional conditions. The first step in using this criterion should be to verify that the product (Tariff position) is not repeated in the exceptions List.
- **Rule 3:** value added criterion (added value of non-originating products shall not exceed 68% of the price of the finished product at factory departure).

Key steps to benefit from ELTC

- **1.** Submit the completed form to the competent authority responsible for the Committee in charge of the ELTC, known as the National Committee for the Recognition of Community Origin (CNROC);
- **2.** Wait for the evaluation of CNROC;
- **3.** Once approved, the application is submitted to the ECOWAS Commission which validates it and then the ECOWAS Commission notifies all member states.
- **4.** After notification, the Certificate of Origin can be issued.
- **5.** Using the Certificate of Origin, the goods can be exported on an exemption to any ECOWAS member state.

Note: The certificate of origin under the ELTC is valid for a period of 12 months.

Documents required for the request for approval to the ELTC:

- Letter application for accreditation to the National Committee for recognition of Community Origin;
- An Exchange Liberalization Scheme registration form containing:
  - A complete description of the company's identity.
  - A complete and detailed description of

goods and raw materials used in production, according to commercial practices.

- A complete description of manufacturing and components, as well as all other costs such as wages.
- A copy of the statutes, company certificates and all supporting documents for company registration.

- A copy of the company's statute;
- Commercial certificate of the company;
- Certificate of the industrial register;
- Income statements;
- Report of financial statements;
- Depreciation map;
- Tax authorities debts statement (or Model 1B).

2.5 African Continental Free Trade Area (ZCLCA)

The ZCLCA is an agreement between African countries that covers merchandises, goods and services and aims to transform trade in Africa. The main foundations of ZCLCA lie in the empirical observation that Intra continental African trade is much more diversified than its trade outside the continent.

ZCLCA's overall objectives are:

- **a)** Create a single market for goods and services, facilitated by the movement of people, in order to deepen the economic integration of the African continent and in accordance with the Pan-African Vision of "a Peaceful, Prosperous and Integrated Africa" in the 2063 Agenda;

- **b)** create a liberalized market for goods and services through successive rounds of negotiations;
- **c)** contribute to the movement of capital and natural persons by facilitating investments on the basis of initiatives and developments in States Parties and Regional Economic Communities (RECs);
- **d)** lay the groundwork for the establishment of a continental customs union at a later stage;
- **e)** Promote and achieve sustainable and inclusive socio economic development, gender equality and the structural transformation of States Parties;
- **f)** Strengthen the competitiveness of the economies of States Parties in the continental and global market.

2.6 General System of Preferences + (SGP+)

General System of Preferences +

The European Union's Special Incentives Agreement for Sustainable Development and Good Governance, GSP+, is part of the European Union's unilateral tariff preferences for developing countries, the Generalised Preference scheme, which was reformulated from 1 January 2014. The GSP+ scheme was designed to help developing countries take on the special burdens and responsibilities resulting from the ratification of 27 fundamental international conventions on human and labor rights, environmental protection and good governance, as well as their effective implementation.

Allows preferential access to all Cape Verdean products exported to the EU market, free of quotas and services.

The GSP Regulation establishes strict and clear criteria for the granting of the GSP+.

- First, the applicant must meet economic criteria, i.e. it must be a vulnerable developing country with a non-diversified economy and low level of imports into the EU.

Secondly, the country must have ratified the 27 international conventions required by the GSP+ should not have made reservations prohibited by those conventions and the most recent conclusions of the supervisory bodies under those conventions should not identify any serious failure in the effective implementation of them.

What is needed to benefit from GSP+

- **Step 1:** check the origin criteria (of the product and exporter)
- **Step 2:** check the conditions of transportation (in accordance with European Commission regulations)
- **Step 3:** Product documents (Certificate of origin form A or invoice declaration)
- **Step 4:** Shipping the product and its registration with the EU Customs Authorities.

Criterion for determining origin

Shall be considered products originating in a beneficiary country:

- **(a)** products entirely obtained in that country;

- **(b)** products obtained in that country, in which materials other than those referred to in the preceding subparagraph have been manufactured, provided that those materials have undergone sufficient manufacturing or transformation operations.

Proofs of Origin

Required documents certifying that the product actually originates from the beneficiary exporting country:

- Product description, made by the exporter (in detail);

- Eur 1 Product Movement Certificate, which can be used as a statement on the invoice when products are exported to beneficiary countries from the EU in the context of bilateral cumulation.

Form A certificate of origin is issued in the GSP beneficiary countries at the time of their exports. In exports to the other countries, the origin of the products is proven by presentation of the "CERTIFICATE OF MOVEMENT OF GOODS EUR 1." or through the "Invoice Statement". In the case of authorised Community exporters or consignments whose value does not exceed EUR 6 000.

Rules of origin +

The rules of origin are the same as those that apply to the normal GSP scheme.

Before exporting/importing:

- Check the rules of origin applicable to your product in the export/import country;

- Consult the customs authorities.

Previously, proof of Origin was made through a form called Form A which, in most cases, is also used to make the request for preferential treatment. However, since January 1, 2019, the **Registered Exporter System - REX** has been used.

The current SPG+ is valid until 2023.

The Registered Exporter System is a commodity origin certification system based on a Self-certification principle. The origin of goods is declared by the economic operators themselves by means of so-called declarations of origin. To make a declaration of origin, an economic operator must be registered in a database by the competent authorities. The economic operator becomes a "registered exporter".

REX system features

The main features of the REX system are:

- **Exporters register:** Exporters apply to become registered exporters by filling out a request form and returning it to the competent authorities. The competent authorities register exporters who submit complete and correct application forms.

- **Modification of registration data:** once registered, a registered exporter has an obligation to report to its competent authorities any changes to its registered data. The competent authorities carry out the modifications to the REX system for the registered exporter.

- **Export revocation:** in some cases, a registered exporter will be revoked from the REX system. This can happen, for example, if the company ceases to exist or if the registered exporter commits fraud. Depending on the reason, revocation is made at the request of the registered exporter or on the initiative of the competent authorities.

With these three features of registering exporters, modifying registered data and revoking exporters, it is the responsibility of the competent authorities to

Validity of proof of origin

Valid for a period of 10 months from the date of issue in the exporting country.

Product coverage consultation procedures and their fees.

Information can be obtained directly from the Taric – The Integrated Tariff of the Community system, available on Portuguese or on the European Community website.

Requirements in destination countries

Within the Scope of the GSP+ every exported product must comply with the requirements of the importing country with regard to environmental, technical, sanitary and phytosanitary issues.

The European Union's Generalized System of Preferences + (GSP+) provides developing countries with a special incentive to pursue sustainable development and good governance.

By contrast, the EU reduces its import duties to zero by more than two thirds of its export tariff sits.

Goods origin certification with declarations of origin

The rules for determining the origin of the goods in the EU GSP schema remain unchanged with the application of the REX system. Only the method to certify the origin of the goods is changed.

In addition to having the right to make a declaration of origin, an economic operator must be registered in the REX system and have a valid record, i.e. a record that is not revoked. However, unregistered exporters are allowed to make declarations of origin for consignments of originating goods with a value of less than EUR 6 000.

A declaration of origin is a declaration added by the exporter registered to an invoice, a delivery note, a packing list, or any other business document that allows the identification of the goods and the exporter.

2.7 UK General System of Preferences (SGP)

Cape Verde currently trades with the UK through the European Union's Generalised System of Preferences (SGP), under the special incentive scheme for sustainable development and good governance - the SGP+ level.

The UK has committed to replicating the EU's SGP+ level - known as the Enhanced Framework - which entered into force on 1 January 2021. From this date, Cape Verde will automatically receive "Enhanced Framwork" trade preferences subject to conditions similar to those currently in force under the EU GSP+. In addition to the GSP's general requirements, they include the ratification and effective implementation of the 27 conventions related to human rights and labor; Environment; (e) good governance and compliance with these reporting and monitoring requirements of conventions. As long as they are complied with, no additional specific action on the part of Cape Verde is required at this time.

About the UK SGP

The UK's Generalized System of Preferences (SGP) was launched on 1 January 2021.

The UK SGP covers all the same countries that are currently eligible for trade preferences under the EU SGP after the end of the transition period.

The trade preference system covers all eligible countries that have not had their existing trade agreements transferred to a new agreement with the UK.

Trade preferences reduce or remove tariff rates on imports from developing countries eligible for the UK. Eligible developing countries can obtain trade preferences through the UK SGP.

The UK SGP has 3 structures:

- **1.** Structure of Least Developed Countries
- **2.** General table
- **3.** Improved structure

> **These structures reproduce the market access provided by the EU GSP.**

Improved structure (Cape Verde case)

This structure is for countries that are:

- **1.** Classified by the World Bank as low and middle low-income countries;
- **2.** Economically vulnerable due to lack of diversification of exports and a low level of integration with the international trade system;
- **3.** They should also implement 27 conventions related to:
  - Human rights and work
  - Environment
  - Good governance

Rules of origin

In order to receive GSP import duty rates, the products must originate from a GSP beneficiary country. Rules of origin are the criteria establishing the country of origin of the imported goods.

A list of operations that must be carried out in materials to obtain origin status can be found in the

2020 Customs Regulations (Source of Goods: Trade Preference Scheme 2020).

Importers will have to pay import duties at full rate (non-GSP) if HMRC's checks show that the goods do not comply with the GS Rules of Origin.

Derogations from rules of origin
A derogation may allow for more flexible rules of origin for specific goods originating in specific countries.

A derogation may be granted where:

- **1.** Factors temporarily deprive a country of the GSP of the ability to comply with the rules of origin, where they could do so previously;
- **2.** A GSP beneficiary country needs time to prepare to comply with the rules of origin.

An application for a derogation shall be made by the country of the GSP in writing to the Secretary of State. It shall indicate the reasons for which the derogation is requested and contain supporting documents.

Accumulation

Accumulation is when materials originating in specific

countries can be incorporated into the products of a GSP country and then considered to originate from that country of the GSP. This can occur as long as processing done in the SGP country exceeds the minimum levels.

An application for a derogation shall be made by the country of the GSP in writing to the Secretary of State. It shall indicate the reasons for which the derogation is requested and contain supporting documents.

UK accumulation agreements include:

- bilateral
- regional
- extended
- accumulation with the EU, Norway and Switzerland

The UK will continue to allow EU, Norway and Swiss materials to be processed later or incorporated into a finished product in a GSP beneficiary country.

GSP UK replicates the effects of the EU's non-manipulation rule. Therefore, goods entering the UK through the EU, as a transit country, may still be eligible for GSP preferences according to the UKGSP.

Please refer to Regulation 20 of the 2020 Customs Regulations (Origin of Collectable Goods: Trade Preferences Regime) (Leaving the EU) for more information.

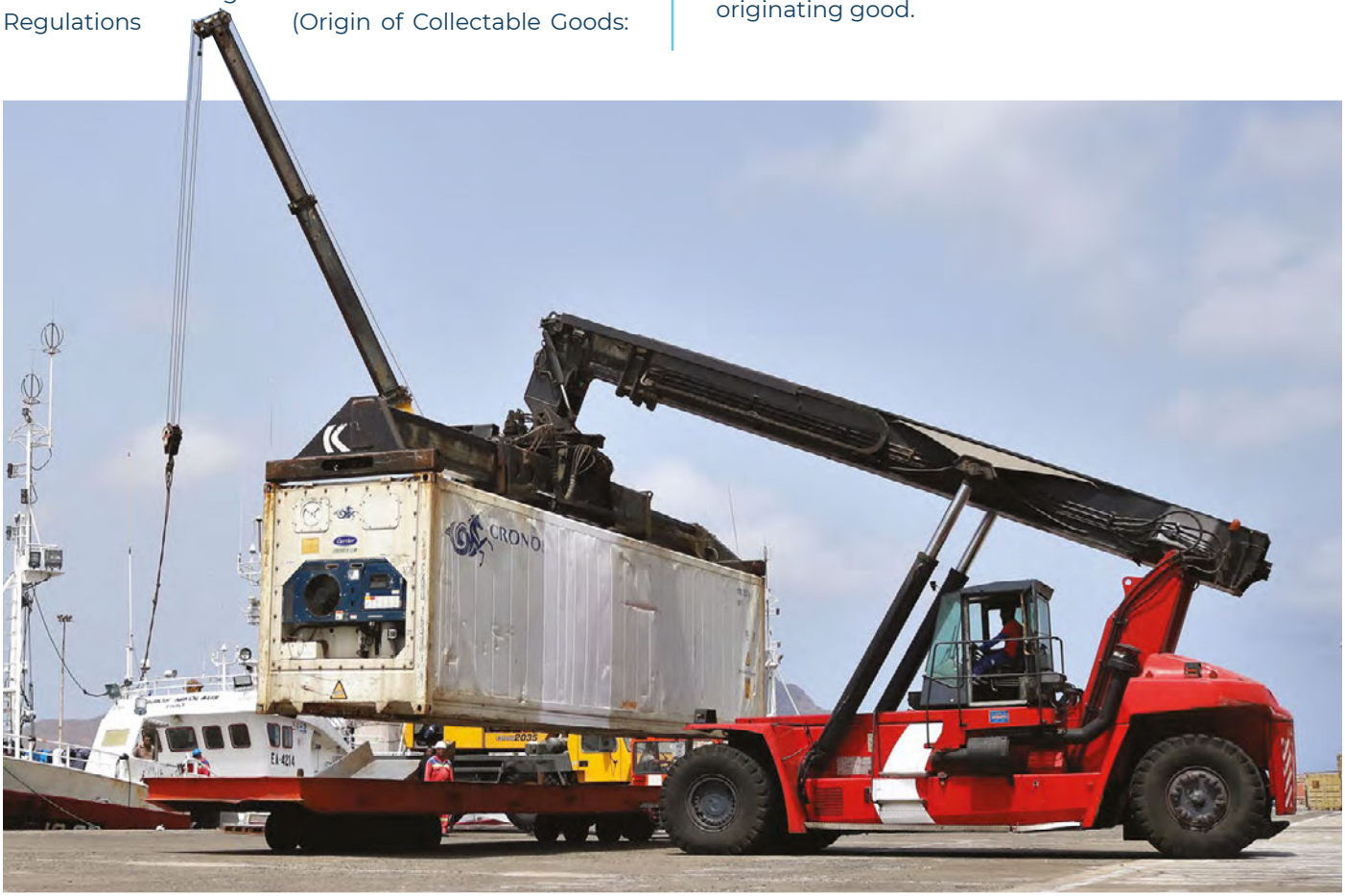
"Products that meet the SGP UK Rule of Origin requirements"

Evidence requirements

Products that meet the GSP UK source rule of origin requirements are eligible to claim an Import Duty GSP fee based on a valid proof of origin. A valid proof of origin must be one of the following:

- an GSP A form (GSP Form A) - which does not need to be stamped and signed by a country-designated authority: you can send a copy;

- declaration of origin - which shall include information enabling the identification of an originating good.



3.1 Terms or conditions of sale (Incoterms 2020)

Trade rules constitute only part of the purchase and sale contract. While the contract determines the quantity and quality of the goods, as well as their price, the commercial rules refer to matters relating to the delivery of the goods, which are responsible for the payment of international freight or transport insurance and above all to the division of risk between the contractual parties.

Common examples of Incoterms

- **i. EXW:** Out of factory (air or sea)
  The seller makes the goods available on his premises.
  The buyer assumes all costs and risks from then on.

- **ii. FCA:** Free carrier (air or sea)
  The seller is responsible for loading the goods into a truck for transportation.
  The buyer assumes all costs and risks from then on.

- **iii. FAS:** Free aside ship (Maritime)
  The seller terminates his obligations at the time the goods are placed next to the carrier ship, on the dock or on vessels used for loading, at the designated port of embarkation.

  The seller is responsible for the clearance of the goods for export.

  NOTE: This term can only be used for watertransport (sea, river or lake).

- **iv. FOB:** Free on board (Maritime)
  The seller is responsible for bringing the goods to the port of export and loaded onto the ship
  The buyer assumes all costs and risks from then on.

- **v. CFR:** Cost and freight
  Seller responsible for delivering goods from his warehouse at the agreed port of destination, including payment for shipping, delivery and customs clearance.

- **vi. CIF:** Cost, insurance and freight
  The seller has more responsibility and will arrange transportation, freight fees and insurance.
  RISKS: the supplier chooses insurance (probably will choose the cheapest and most basic insurance; the CIF for after the goods arrive at the port, if damage or storage occurs in the port, which is the responsibility of the importer).

- **vii. CPT:** Paid transport to (air or sea)
  Incoterm relatively unusual, except larger importer who owns own port agents.
  While the seller pays for the carriage of goods, the buyer assumes risks (and insurance) when the goods leave the country or port of the seller.

- **viii. CIP:** Paid transport and insurance (air or sea)
  The seller pays transport, insurance and export release from the point of origin to the final destination.

- **ix. DAT:** Delivery to the terminal (air or sea)
  Seller responsible for the goods to the final destination. Buyer pays for customs clearance and taxes at destination.

- **x. DAP:** Delivered on-site (air or sea)
  The seller is responsible for delivering the goods to the buyer's door; including customs clearance

- **xi. DDP:** Paid delivered service (air or sea)
  O vendedor é responsável por entregar as mercadorias à porta do comprador; incluindo desembaraço aduaneiro

There are two main changes in Incoterms® 2020 compared to the 2010 edition:

- DAT (Delivered at Terminal) is now called Delivered at Place Unloaded (DPU)

- FCA (Free Carrier) now allows Bills of Lading to be issued after loading

Other changes include:

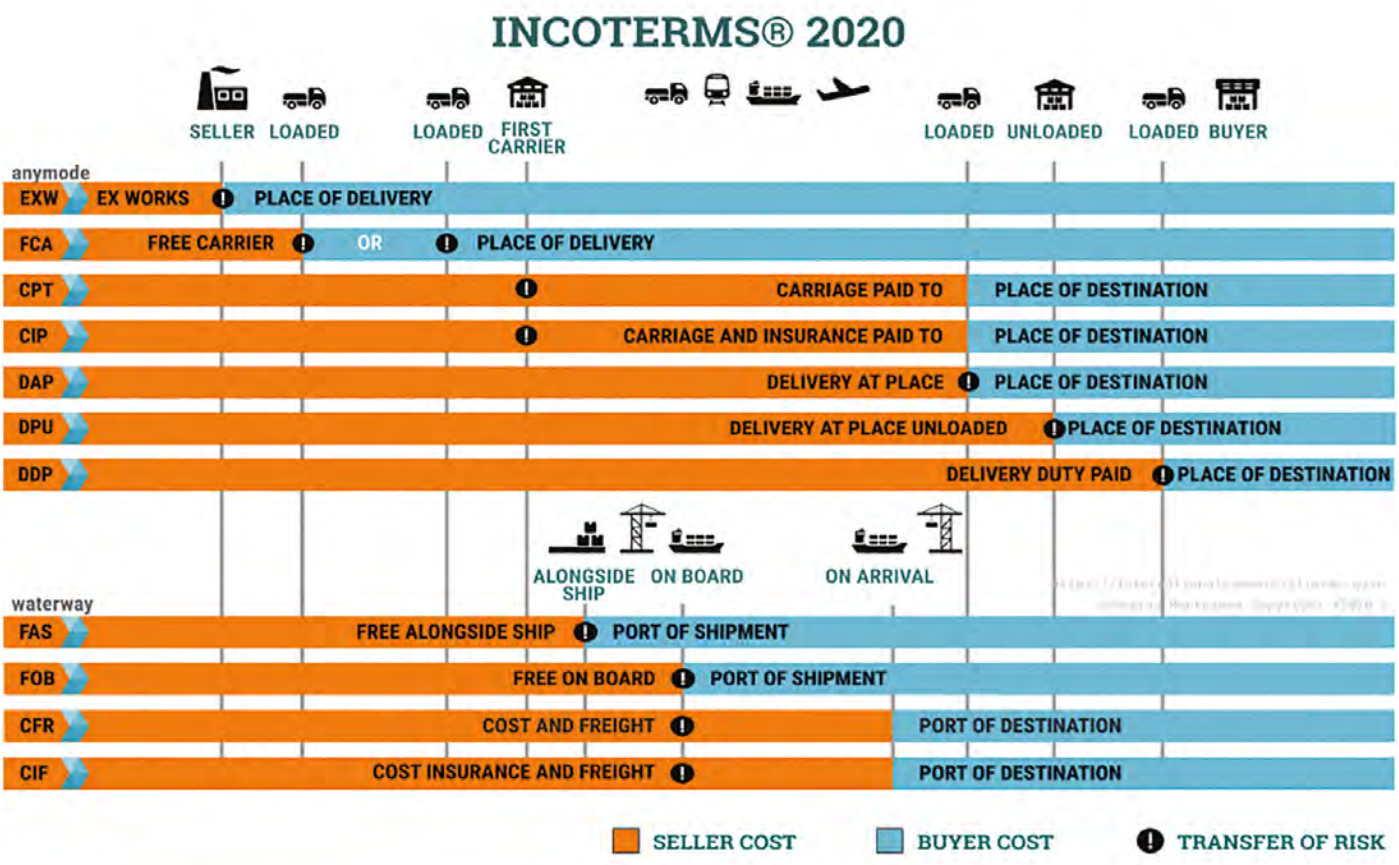
- CIF (Cost, Insurance and Freight) and CIP (Carriage and Insurance Paid to) establish new standard insurance contracts, but the level of insurance remains negotiable between the buyer and seller.

- When referred to, the cost allocation between the buyer and seller is stated more accurately - an article refers to all the costs for which the seller and the buyer are responsible.

- FCA (Free Carrier), DAP (Delivered at Place), DPU (Delivered at Place Unloaded) and DDP (Delivered Duty Paid) come to take into account that the buyer and seller organize their own transport, rather than using a third party.

- Security-related obligations are now more prominent.

- "User Explanatory Notes" for each Incoterm replaced the 2010 Edition Guidance Notes and are designed to be simpler for users.
- CIP currently requires ICC A or equivalent insurance coverage as standard. In the Incoterms® 2010 was ICC C. The insurance coverage required for CIF remains.



3.2 International Cargo Transportation Insurance

One of the biggest concerns of managers in the logistics sector of companies working with Foreign Trade is to keep goods protected in their import and export processes. Although cargo insurance is not mandatory, its importance is invaluable if the economic operator wants to have peace of mind and protection if certain risks come to fruition.

This modality represents a way of avoiding damage, preventing the economic operator from unforeseen events and risks that a cargo is subject to within the country and when crossing borders. It ensures coverage for any incidents such as losses, breakdowns and missteps throughout the travel process by land, sky and sea.

Types of Insurance

International cargo transportation insurance is a way to ensure greater security in your supply chain and distribution, but how exactly does this work?

Policies can be for import or export cargo and depending on the goods and Incoterms traded, they may have full or partial coverage as follows:

- **Wide A -** Coverage for any external cause damage including cargo theft.

- **Restricted B –** Guarantee of partial loss and total loss of goods as a result of accident with transporter vehicle (airplane, truck, ship, etc.), and may have the added theft coverage.

- **Restricted C –** Covers the total loss of merchandise due to accident with means of transport and may have the added theft coverage.

- **Additional coverage -** Wars and Strikes; Air Boarding Without Declared Value; Additional Transhipment; Additional Ship Classification, among many others.

The contracting of the insurance must be made according to the risks that the trip offers and to the conditions of purchase and / or sale involved in the negotiation. Be aware of the mode of transport of cargo - land, air or waterway- it is also important.

Who can hire?

These may be contracted by the owners of the goods or by those who are selling or by their representatives or logistics operators. This is agreed during the negotiation between the parties.

How to hire?

In practice, the first step to hire an international cargo transport insurance is to have an experienced agency because it offers more tranquility to the international logistics process with insurance specially thought for the needs of the company.

3.3. International contracts for the purchase and sale of goods

International trade has proved to be an extremely creative means, which is why new trading modalities, distribution channels and rules that can conduct these activities are emerging every day. Often, when a reference to international trade is found, it is also possible to identify the elements related to international contracts and in particular the international purchase and sale of goods.

When analyzing the international scenario, it is easy to see the great complexity and diversity of laws, uses and customs that govern international business today. The result is that companies with no international experience, in particular small and medium-sized enterprises, end up inhibiting the challenge of foreign trade. It is therefore essential to organize a universally oriented legal system containing a minimum set of material rules, which can ensure a fair balance in international purchasing and sale contracts.

3.3.1 Essential elements that make up the International Purchase and Sale Agreement

- **a)** Proponent - Seller (exporter);

- **b)** Proposed - Buyer (importer);

- **c)** Object - Merchandise or good that is intended to trade.

3.3.2 Necessary Clauses of the International Purchase and Sale Agreement

- **a) Identification of the Contracting Parties**. All contracts, including international contracts, must begin with the qualification of the parties to that specific contractual relationship, i.e. an introductory paragraph in which both parties will be properly identified.

- **b) Definition and Description of the Goods –** The content of the international purchase and sale contract shall contain the definition of the type of product to be traded, with the respective descriptions of the goods, the type, quality and quantity of the product (net and gross weight or volume, as the case may be), the form of packaging, any accessories, characteristics, volume, quantity, weight, shape, unit, if it has dangerous content regarding handling. Each product information is necessary in relation to the legal requirements that must be met by the exporter and importer.

- **c) Object –** Is the most important clause of the contract in general. The purpose of this clause is to define the outcome of the contract through a precise and complete definition of the good that will be the subject of international purchase and sale. The contracting parties should be concerned with clearly detailing the characteristics of the product in order to avoid future disputes as to the nature of the sold thing and may also opt for the adoption of the respective tariff code of the subject matter of the contract.

- **d) Form of Payment –** The form of payment to be adopted in an international contract for the purchase and sale of goods shall take into account the degree of trust existing between the contracting parties. The most common forms are bank transfer

immediately or after a certain number of days from the date of shipment of the goods, which often arise in contracts between parties that have maintained a stable business relationship for some time, or through documentary credit in its various forms of letters of credit, which represents a means of payment by which the bank issuing the letter of credit is obliged to carry out the payment, upon presentation of a certain set of documents, which includes the knowledge of shipment of the goods.

It is important to distinguish between **documentary credit** and **letter of credit**. Although expressions are often confused, in fact the first is broader and includes the second.

Documentary credit: it is every arrangement in which there will be a disbursement of resources upon the presentation of documents.

Letter of credit: presents this last characteristic, being a documentary credit modality. There are several types of letters of credit, which vary depending on the type and duration of the contract and the degree of protection desirable for the seller.

e) Price and Conditions of Sale - This clause shall set in full the unit and total price of the product to be marketed.

In addition, the parties should also define the specific currency of the price indicated, since some currencies, such as peso, pound and dollar, are adopted by several countries and therefore maintain different quotations on the foreign exchange market; therefore, pricing should include the origin of the currency (e.g. US dollars).

Another factor that should be observed in this clause concerns the mode of delivery of the product, by indicating one of the terms provided for in the Incoterms, standardized by the International Chamber of Commerce, which will indicate the port of delivery or shipment of the product, the type of transport used, the contracting of freight and insurance and any customs services, as well as the time of transfer of ownership from seller to buyer.

f) Obligations of the Parties - In the international purchase and sale relationship, the parties assume different obligations which will depend directly on the type of contract and the specific characteristics of the product subject to the contract or the sector of the economy in which the goods are inserted.

The parties themselves shall draw up these obligations on the basis of their respective business experiences and the degree of mutual knowledge. The seller, for example, has typical obligations, such as delivering or boarding the product on the date specified in the contract, and other obligations, as the case may be: to provide information about the product (including instruction manual already translated into the language of the importer's country); ensure an after-sales telephone service system, to clarify doubts about the use of the product by the buyer; technical assistance; training of the importer's employees, for the correct use of the product, etc.

On the other hand, the buyer also assumes specific obligations, in particular the obligation to make the payment on the stipulated date and in the modality indicated in the contract, in addition to contracting, for example, inspection services of the goods at the port of embarkation.

g) Guarantee - The expectation of every importer is to receive the goods from the seller, according to the samples presented by the exporter during the negotiation of the contract and also with the description of the product contained in the contract itself, in the clause of the object, that is, the goods delivered must respect the quantity, quality and model of the product that was in effect negotiated by the parties.

One possibility of protection against the risk of non-conformity of the goods is the introduction into the body of the international contract for the purchase and sale of goods of a guarantee clause, establishing that, in the event of a difference between the product delivered and the one requested in the contract, the exporting company undertakes to, for a certain period (sufficient time for the importer to be able to check the goods, after customs procedures), replace defective or non-compliant parts, or to provide, for example, an additional quantity of the product sold to complete the total volume of parts that ended up not being respected in the shipment of the goods.

The duration of the warranty period follows the international customs and customs practiced in each sector of the economy.

h) Applicable Law and Jurisdiction - From a legal point of view, this is one of the most important points of the contract. These two elements (the

law applicable to the contract and the competent forum) may be contained in the same or separate clause.

Although the contract is called international, it will be governed by a national legal system, as there are no specific laws, located outside the context of any state, that may resolve any conflict of jurisdiction between the contracting countries. The legal system to which a given contract is binding is the so-called international forum.

Serious problems can arise if a particular international contract does not establish the law to which it should be bound. In this case, the definition of the applicable law shall follow the criteria for determining given by the Private International Law of each country, which may indicate different applicable laws for the same dispute, giving rise to a legal impasse known as a conflict of jurisdiction.

There is no standardized international legal system that can govern international contracts. Generally, the principle is accepted that, unless expressly agreed otherwise, the foregoing of the international contract shall be the venue of the exporter's domicile, that is, the place where the exporter is established, governed by the laws of his domicile.

- **i) Termination -** It is the part of the contract that stipulates the criteria for contractual termination, that is, the dissolution of the legal business and, consequently, the loss of the effectiveness of the contract.

  The termination clause also defines the assumptions in which one of the parties fails to comply with one of its obligations defined in the contract and how to resolve the non-execution of the obligation, in case the parties still have an interest in maintaining the contractual relationship.

Types of termination of the International Contract of Sale:

Automatic Termination - occurs at the end of the contractual term, without the parties expressing the willingness to extend it.

Voluntary Termination – occurs when one party is impaired by the fact that the other party has failed to meet one or more of its commitments under the contract.

Involuntary Termination – occurs when one of the parties becomes totally unable to continue fulfilling its contractual obligations, either because of the dissolution of the company, or by bankruptcy or disposal of the corporate control of the contracting company.

- **j) Language -** This clause is very useful in the case of international contracts for the purchase and sale of goods that are written in two or more languages simultaneously. It is important to provide for a language clause that will establish which are the existing versions of the contract in question, in addition to indicating in the wording of the clause which will be the version that will prevail over the other, in case of doubt as to the interpretation of a contractual device.

- **k) Term of the Contract –** The objective is to set a time frame from which the contract will produce its legal effects, in addition to defining a period of duration for the supply of goods, thus determining a specific period of validity for the contractual relationship.

Example: "This agreement will enter into force on the effective date of signing and all deadlines will be counted from this date. The duration of the contract will be 2 (two) years."

4.1 Customs authority

The General Directorate of Customs[1] is the Central Office of the Ministry of Finance, in charge of proposing the policy on the administration, settlement, collection and gathering of customs taxes and other revenues, committed by law to the customs system, and to ensure the direction and technical and administrative control of the services and bodies of the customs administration and the exercise of the customs authority.

1 - https://mf.gov.cv/web/dnre/direca-geral-das-alfandegas

> **Customs are the Territorial Base Services that carry out customs management, control and inspection**

Customs are the Territorial Base Services that carry out customs management, control and inspection of customs duties and operations relating to customs clearance and means of transport, the movement of persons and goods at the entrance, stay, transit and exit of the national territory, as well as the prevention, detection and repression of customs tax violations.

Customs have the power to intervene in the regulatory regimes of the operations of entry and exit of goods, liquidate and collect their rights and, in addition to these, other taxes whose collection is in their charge, in addition to ensuring the defense of economic, moral and property interests in the national territory.

It is Customs incumbency to:

- **a)** Carry out, with the necessary legal formalities, searches and inspections, either personal, or in commercial establishments, warehouses, dwelling houses, vessels and other means of transport or any other places;
- **b)** Oversee and inspect within ports and airports, the movement of loading, unloading, transhipment, circulation, transit, transfer and re export of goods, using best practice methods and promoting speed in customs clearance;
- **c)** Overseeing throughout the goods dispatch service, winding up and collecting the duties and more charges that are due and arranging their accounting and statistical elements;
- **d)** Provide storage, in warehouses under its direct administration or in any other warehouses under customs procedure, to goods which may enjoy this benefit;
- **e)** Prevent tax offences provided for in the Customs Code and intervene to punish their infringers in accordance with the applicable dispositions;
- **f)** Intervene in cases of malfunction of the goods to be imported, in accordance with the respective legal dispositions;
- **g)** Promote the collection of the spoils reached into the customs territory and organize the competent process, in accordance with regulations;
- **h)** To sell the seized goods and, as well as those abandoned or deposited in the free zones, by public auction;
- **i)** Inspect the vessels, in the special cases within their competence;
- **j)** Assist health authorities in carrying out their duties in accordance with the relevant regulations and assist postal services in the same way in the implementation of postal regulations;
- **k)** Provide the assistance requested from the maritime, aeronautical or police authorities for the performance of the services in their charge; and

- **l)** The more committed to it by law, regulation or by superior determination.

4.2 Trade, Industry and Energy Authority

The National Directorate of Trade and Energy Industry (DNICE) through the Trade Service (SC) is responsible for the design, implementation and evaluation of trade policy, as well as for coordinating matters related to regional economic integration and international cooperation of bilateral or multilateral nature.

It is the responsibility of the Trade Service, in particular:

- **a.** Define the requirements and procedures for the organization, ordering and control of the commercial network and updating the commercial register of commercial establishments;
- **b.** Propose the licensing of commercial establishments, in which it is not fit, in accordance with the law, to other entities;
- **c.** Provide public assistance in foreign trade operations and technical consultation to economic operators;
- **d.** Register and renew in a relevant register of all commercial establishments;
- **e.** receive and follow up on commercial processes and instruct the respective dossier for a higher decision, where appropriate;
- **f.** Carry out the import authorisation to importers;
- **g.** Monitor the licensing process, guide and discipline import and export operations;
- **h.** Propose measures to improve the protection of internal trade and stimulate domestic supply of products and exports;
- **i.** Promote the development of standards, regulations and technical specifications relating to commercial installations and products, in consultation with the competent services and bodies;
- **j.** Collaborate in studies and other works that can contribute to the improvement of the presentation of the national product;
- **k.** Propose legislative measures necessary to modernise the sector and simplify administrative procedures;
- **l.** Propose the creation of procedures and mechanisms for the implementation of licensing regimes;
- **m.** Propose the creation of the system of procedures and mechanisms for the implementation and dissemination of the automatic and non-automatic licensing regime;
- **n.** Organize, in collaboration with other competent services, statistics relating to the commercial sector and disseminate information of interest to the development of the commercial sector;
- **o.** Carry out surveys of commercial establishments;
- **p.** Perform other tasks that are best assigned to it.

4.3 Authority responsible for Agriculture, Forestry and Livestock

The General Directorate for Agriculture, Forestry and Livestock, in the context of foreign trade, acts in the deliberation in the authorization and sanitary and phytosanitary inspection and import and export of species and plant products, products of plant origin, regulated articles, pesticides, nourishments and fertilizers, seeds and seedlings, animals, products of animal origin, biological products, veterinary medicines and ionized salt.

This direction intervenes in the following processes:

- Analyze applications for sanitary and phytosanitary authorization in import and sanitary and phytosanitary certification in export;
- Determine phytosanitary requirements and measures;
- Ensure compliance with the import requirements, previously established;
- Phytosanitary control and certification is ensured by the **phytosanitary inspection services of the MAA delegations;**
- Issue certificates on phytosanitary regulations when importing plants, plant products and regulated articles into the national territory;
- Lay down sanitary requirements for animal imports and animal transit;

- Determine the sanitary requirements for imports of products of animal origin, organic products and veterinary medicinal products

4.4. Environmental Authority

This authority's mission is to design, coordinate, control, implement and evaluate the specific policies defined by its Ministry for the environmental sectors.

It has as a range of services the regulation of the production, export, re-export and import of substances, equipment and other appliances that impoverish the ozone layer as well as the import and export of toxic waste and the issuance of export license, re-export and import of wild fauna and flora species threatened with extinction among other services.

4.5 Port Concessionaire

ENAPOR, as the general concessionaire of ports, has as its object the administration, management and economic exploitation of Cape Verde Ports, terminals and port jurisdiction areas, taking care of their conservation, planning and development, covering the exercise of the powers and prerogatives of port authority that are or will be committed to it.

This company's mission is to ensure the provision of efficient and quality services to customers of Cape Verde Ports, ensured by qualified and motivated professionals, based on adequate infrastructure and equipment, safely and respecting the environment and minimum technical requirements established, in order to enhance the unification of the internal market and its competitive integration in the world economy, contributing to the sustainable development of the country.

It may intervene in the following cases:

- Provision of port services, as established in Article 7 point 3 of the Cape Verde Ports Regulation, where we highlight cargo handling, including Stiva, Destiva, Conference, Loading, Unloading, Transhipment, handling and storage of goods within the port area, as well as the formation and decomposition of cargo units;

- Port Trailer, Piloting, signage, headlights and lights;
- Availability of mechanical, terrestrial or floating means for the handling and transport of goods in the port;
- Availability of warehouses, buildings, facilities for storage, conservation or presence of goods and passengers;
- Availability or indication of anchoring, mooring and unmooring areas;
- Water supply, electricity to vessels;
- Safety, surveillance, environmental protection, collection of waste and receipt of solid and liquid waste from ships, platforms or other fixed installations situated at sea;
- Sub-concession, licensing, coordination and supervision of the activities of port operators;
- Supervision of all services relating to the economic operation of ports;
- Inspection over the execution of construction works, renovation, expansion and conservation of ports and port facilities;
- Application of sanctions provided for in laws and regulations.

4.6 Airport Concessionaire

ASA, as the concession management company for National Airports, has the mission of efficiently managing the airports and airfields of the country and contributing to the modernization of the air transport system for the economic, social and cultural development of the archipelago, connecting Cape Verde to the world. Its main objective is to support civil aviation, air traffic management, cargo terminal management and post office.

With regard to the context of foreign trade, the ASA manage the cargo and mail terminals in relation to the import segment, carrying out the activities of controlling the inflows and departures of cargo, in order to be able to invoice the fees related to airport charges. The exported cargo is managed and handled

by the Managing Entity of Export Terminals at Airports.

4.7 Road Transport Authority

Regarding the performance of the General Directorate of Road Transport in the conjuncture of external trade, this intervenes in the process of importation of vehicles, through the technical inspection and the granting of the respective registrations.

4.8 Chambers of Commerce

Chamber of Commerce is a legal person of private law and public utility, whose essential purposes are the promotion of the development of economic activities in the sectors of Commerce, Industry and Agriculture, the promotion of business associativism and the defence of the interests of economic agents.

In Cape Verde the chambers of commerce are divided by regions, the CCB-Chamber of Commerce of Northern Cape Verde (Windward) and the CCISS-Chamber of Commerce Industry and Service of Leeward.

4.9 CV TradeInvest

CV TradeInvest's mission is to promote Cape Verde's sustainable, inclusive and balanced economic growth by mobilising quality investments and boosting exports of products and services in order to improve Cape Verdeans' quality of life in terms of employment, opportunities and social mobility.

Cape Verde TradeInvest has the following mandates:

- Generate Investment
- Promote Exports
- Facilitating and Caring for the Investor
- Facilitating and Caring for the Exporter
- Create and Disseminate the Image of the Country
- Advocate for The Improvement of the Business Environment

4.10 Fisheries Authority

Fishery products are the country's main export, with the General Fisheries Inspectorate (IGP) being the body responsible for the inspection, control and certification of products intended for export to both the European Union and other markets.

4.11 Independent Health Regulatory Body

In the field of external trade, ERIS, as an entity whose purpose is the technical and economic regulation, of the activity of healthcare establishments, for the pharmaceutical and food sectors, has as specific tasks namely to participate in the definition of the policy on imports, exports, re-exportation, control and consumption of medicines, medical devices and other pharmaceutical products.

In the regulatory component, ERIS has the competence to define the technical requirements applied to production, import, export, distribution and marketing in order to ensure food health safety and the quality, safety and efficacy of medicines and other pharmaceutical products.

4.12 Tax Police Authority

The performance of the Fiscal Guard is directly related not only to the security services, as well as the other customs services and the procedures associated with them, namely, Customs, Enapor, ASA, Sanitary and phytosanitary services, because it is incumbent upon it as a customs inspection agent, among other duties by Customs and Police Laws and Regulations:

- **a)** As tax and customs authority, the supervision, control and monitoring of goods subject to customs action, in accordance with the provisions inserted in the Customs Legislation; (Article 16 of Legislative Decree No. 49/2017, of November 14, which approves the Organic Law of the PN);

- **b)** Prevention and combating of tax and customs violations, surveillance and supervision of customs territory and collaborating with the tax administration in the fight against fraud and tax evasion;

- **c)** This force is also linked to the other security services in the prevention and fight against crime in general (drug trafficking and the importation of weapons and explosives in particular).

It is still up to the Fiscal Police, among other tasks in customs formalities:

- **a.** Ensure the progress of the cargo and unloading services and monitor all the movement made by the ship or aircraft;

- **b.** Participate in search and retail actions, in commercial warehouses under economic and suspensive regime;

- **c.** Responsible for carrying out the mission of inspection, shipment of captive goods, to other customs bodies;

- **d.** Reception and control, the movement of captive goods sent by the various customs bodies;
- **e.** Ensure surveillance of ships and aircraft, patrolling and monitoring of goods for cargo terminals;
- **f.** Participate in cargo non-use operations, involving other entities, which for reasons of public health, and intellectual and industrial property, should not be introduced into the national territory;
- **g.** Assist and check the deliveries of the goods;
- **h.** Deconsolidation of containers with goods already liquidated and paid, duly sealed and without traces of violation, in the importer's warehouses, provided that there is availability of personnel;
- **i.** Collect case for infractions found;
- **j.** Responsible for other charges for the services provided, in particular, of sane containers at home, use of goods and cabotage vessels, paid directly in the treasury of Customs;
- **k.** The more they are charged with by laws, customs and police regulations.

4.13 Entity Responsible for the health sector

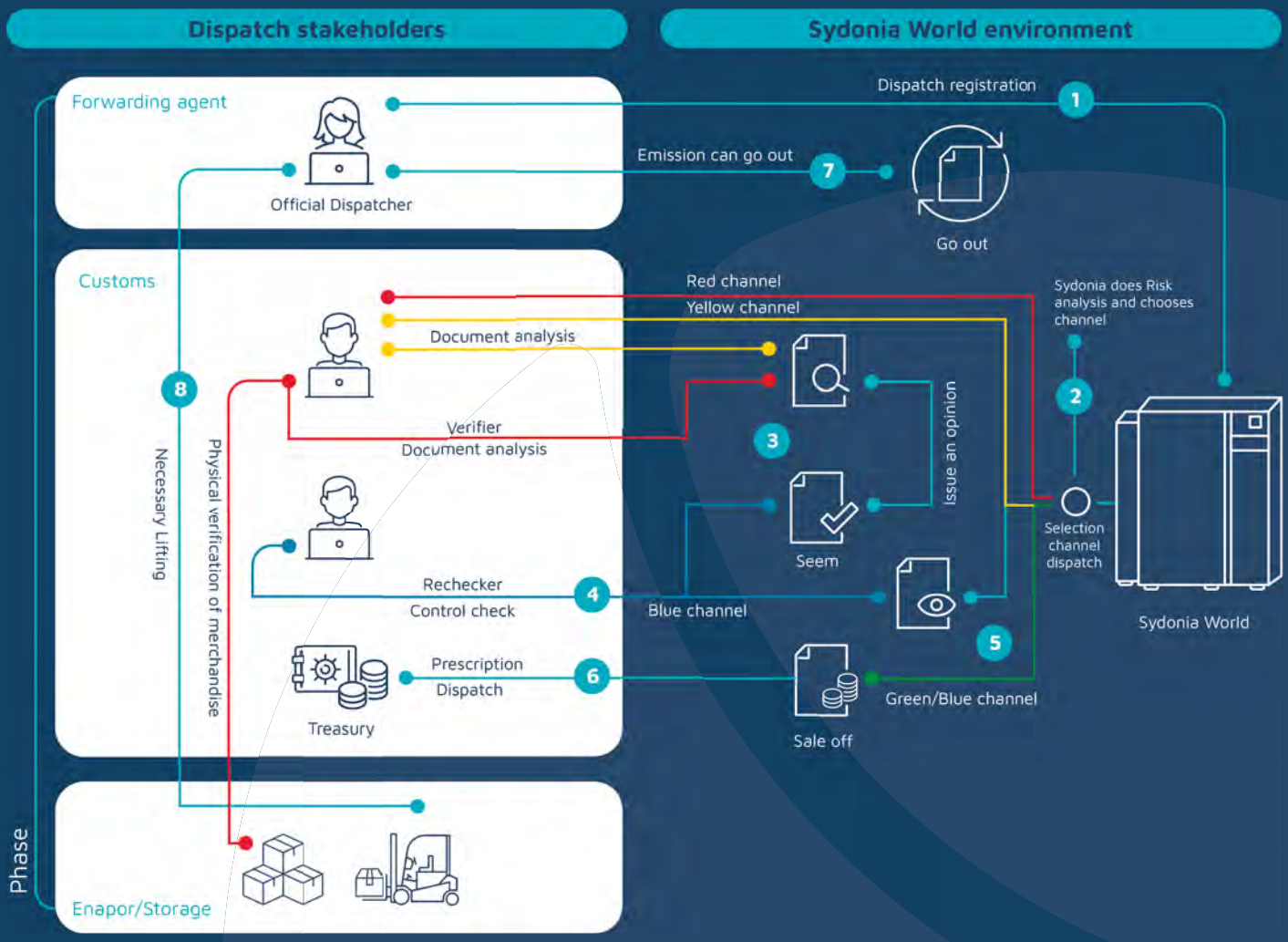
The National Directorate of Health is the central service of regulation, guidance, coordination and supervision of health promotion activities, disease prevention and health care delivery, and public and private institutions and services providing such care.

4.14 Tourism Authority

Cape Verde Tourism's mission is to regulate and supervise the tourism sector, the implementation of the sector policy, the study and analysis of national and international trends in the tourism sector, the promotion of tourism support infrastructure, including tourist and signage information posts, licensing of tourist activities, the promotion and internal and external supervision of Cape Verde as a tourist destination and support for investment in the tourism sector.

5.1 Customs clearance

Customs clearance is a specialised administrative procedure whose purpose is the delivery to economic operators and other interested parties of goods introduced into national territory, of which they are owners or consignees, after the completion of formalities inherent in the destination or procedure assigned to them and the performance of the checks provided for by law. Customs clearance takes the normal form (General Procedure) and simplified form (Small Orders and family shipments).



Statement in detail

All goods imported, exported, re exported or placed under a suspensive regime (warehouse, temporary import, temporary export, transit) shall be the subject of a "declaration in detail".

Exemptions from duties and other customs duties do not waive this obligation. The "Statement in Detail" is the legal act by which the declarant:

- **a.** Designates the customs regime for which it requests application for certain goods;
- **b.** Agrees, under penalty of law, to comply with the obligations resulting from the declared customs procedure (e.g. to pay duties and other customs duties on imports for consumption);
- **c.** Provide all the necessary information to enable the identification of the goods concerned and the application of the measures which the customs and other services ensure the implementation (settlement of duties and other customs charges, control of external trade, financial control,

(See Art. 150° and following of the CA)

establishment of statistics, etc.) depending on the customs regime declared.

Exceptions

- **Family and separate baggage shipments**

On condition that they do not have a commercial characteristic (see Law Decree No. 39/2019 of September 12, published in B.O. I Serie No. 22, which makes the first amendment to D.L. No. 23/2014 of April 2, which approves the regulation of the Customs Code).

Determination of the amount paid or payable at customs

- **Transactional Value**

The costs associated with imports of goods are determined using their transactional value. The transactional amount is the price actually paid or payable for the goods when sold for export to Cape Verde, adjusted, if necessary, in accordance with the provisions of Article 262 of the Customs Code, provided that:

- **a)** There are no restrictions on the buyer's handover or use of the goods other than the restrictions imposed or required by law or by the competent authorities in Cape Verde, limiting the geographical area in which the goods may be resold; or not substantially affect the value of the goods;

- **b)** The sale or price shall not be subject to the conditions or services the value of which cannot be determined in relation to the goods to be valued;

- **c)** Do not revert, directly or indirectly, to the seller any part of the product of any resale, transfer, or subsequent use of the goods by the buyer, unless an appropriate adjustment can be made in accordance with the provisions of Article 262 of the Customs Code;

- **d)** The buyer and seller are not related or, if they are, that the transactional value is acceptable for customs purposes, in accordance with article 264(2) of the Customs Code.

Amount paid or payable (see Art 261 of the CA)

The price actually paid or payable is the total price paid or payable by the buyer to the seller or for the seller's benefit, in return for the imported goods and includes all payments made or to be made, as a condition for the sale of the imported goods, by the buyer to the seller, or by the buyer to a third party in compliance with an obligation of the seller.

The payment referred to in the preceding paragraph may be made directly or indirectly, in cash or through documentary credit or negotiable securities.

5.2 Destinations and Customs Regimes

Customs regimes are various situations to which goods which are the objects of international trade and which circulate across Cape Verdean borders and which may be assigned a customs destination, regardless of their nature, quantity, origin, origin or destination, are subject.

It is mandatory to assign a compatible customs destination to the goods submitted to the customs authorities.

The following are the destinations that can be used for the goods:

- **a.** Subject to a customs regime;
- **b.** Placement in a free zone or a free warehouse;
- **c.** Re-export from the national customs territory;
- **d.** Unusable;
- **e.** Abandonment in favor of the State.

In this way, we have special and common customs regimes.

Common customs regimes

Customs regimes whose immediate purpose is the release for free circulation in the Cape Verdean customs territory of non-national goods or the export of national goods, by paying duties and other taxes and the application of trade policy measures and other formalities required for the definitive import and export of goods.

Special customs regimes

Special customs regime is applied to meet some peculiarities that escape the general rule of tax collection for imports and exports. They are instruments of commercial and industrial policy at the service of the economic and social development of the country, whose authorization is the exclusive competence of the customs authorities, who are also responsible for monitoring and supervising their application and functioning, in accordance with their own procedures.

Special customs regimes are classified as economic and suspensive.

(art 261° do CA)

I. Economic customs regimes shall be considered:

- **a)** The customs warehouse;
- **b)** Inward improvement;
- **c)** Processing under customs control;
- **d)** Temporary importation;
- **e)** Outward improvement;
- **f)** The temporary export.

II. Suspensive customs regimes are considered, in the case of foreign goods:

- **a)** Traffic;
- **b)** The customs warehouse;
- **c)** Inward improvement in the form of a suspensive system;
- **d)** The temporary import.

5.3 Customs Warehouse

The customs warehouse regime permits the storage of goods in a designated place, under customs supervision, with suspension of duties and other customs obligations and without any application of trade policy measures, for the purpose of subsequent allocation of a new customs regime or destination, in an unchanged state or after processing under customs control.

The customs warehouse is the place approved by the customs authorities and subject to their supervision, in which goods are stored under customs wares, in accordance with and for the purposes provided for in the Customs Code and other applicable laws.

Customs warehouses, depending on their nature, are classified as:

- **a) Customs warehousing of goods;**

Customs storage warehouses are classified as public warehouse and private warehouse.

- **I. Public warehouses**

Public warehouse is intended to meet the needs of general interest, i.e. it can be used by anyone for the deposit of goods.

The competence to grant authorisation for the operation of the public warehouse is the General Director of Customs.

Authorization for the operation of public warehouses may only be granted, in order of priorities, to the following entities:

- Port and airport administration;
- Air and sea transport companies;
- Chambers of commerce and industries;
- Business associations;
- Other public or private entities with similar social object.

Public warehouses are open to all importers and all goods, except those excluded by a list published in an ordinance of the Minister of Finance.

The premises where the public warehouses operate must comply with the following conditions, as provided for in Article 415, number 2 of the Customs Code:

- Be constructed with high strength materials and have the necessary conditions for the establishment of a convenient insulation;
- Be the windows, skylights and other existing openings sealed with mesh nets not exceeding cm^2

The period of stay in the public warehouses is one year, extendable for two morebail periods of 6 months, for justifiable reasons, by order of the competent customs authority.

Goods deposited in public warehouses are not subject to any type of bail.

The faults of goods verified in the public warehouses constitute, in accordance with the AC, tax offences.

- **II. Private warehouse**

The private warehouse is intended for the exclusive use of the depositor, its dealer, for the needs of his trade or industry.

The competence for the establishment of the private warehouse is the Directors of Customs.

The maximum period of stay in these warehouses shall be two years, extendable for two more periods of 6 months each, by decision of the competent customs authority.

The buildings where they operate must comply with the same conditions required for public warehouses.

b) Warehouses for industrial purposes

It is intended for the exclusive use of industrial companies for the deposit of goods from abroad, used in the incorporation, processing and packaging of products of the respective industry.

The competence to authorize the operation of the industrial warehouse is the General Director of Customs. Raw materials and subsidiaries and finished or semi-finished products are entered in the industrial warehouse, intended for the incorporation, transformation and packaging of products manufactured by the concessionary industrial company.

The maximum deposit period of the goods in the industrial warehouse is two years and may be extended for two periods of 6 months each, in duly justified cases. Finished products, processed under industrial customs procedure, may be exported, imported (introduced) for domestic consumption, deposited in a customs warehouse or abandoned in favour of the national farm.

If the goods are introduced for consumption, the duties and other taxes borne by customs, are the referring (the same applied) the goods imported and used in the manufacturing or processing process. The consumption tax, however, will fall on the value of the product at the factory door (price "ex-usine").

The finished products transferred to a storage warehouse shall be deposited in compartments separate from the other goods, with a separate structure. It means that the industrial company must adopt two accounting.

Except for the authorization of the customs authority, goods imported under the customs wares procedure may not be disposed of while remaining under that procedure.

Waste resulting from the production process, which is of no economic utility, must be destroyed on behest by the concessionaire. Waste with economic utility will pay the duties and other taxes when introduced into consumption.

For the purposes of excluding tax liability, the percentage of loss should be established. The DGA may authorize fractional manufacturing between industrial companies benefiting from the same scheme.

The industrial warehouse regime is, like temporary import for industrial purposes, a variant of the inward processing scheme.
This regime allows industrial companies working at the same time for the foreign market to carry out their manufactures with suspension of duties and taxes levied by customs and to determine their accounts either by export or by import for consumption.

It has advantages over temporary importation for industrial purposes, because in the latter the final products should, in principle, be re-exported. This explains to those concerned the knowledge, at the time of temporary importation, of the foreign market where they should place their products.

5.4 Temporary Import

According to Article 481 of the Customs Code, "temporary importation" means the customs procedure allowing the use in the national customs territory of Cape Verde of imported goods with total or partial exemption from duties and other charges, for specific purposes, and their re-export within a specified period without having undergone any change, in addition to the normal depreciation resulting from the use given to them.

Temporarily imported goods may be subjected to the operations necessary to ensure their preservation.

5.4.1 Authorization of the scheme (Art. 482 of the CA)

- **1.** Authorization of the temporary importation procedure shall be granted at the request of the person using the goods or has them used.
- **2.** The customs authorities shall refuse to grant the temporary importation procedure where it is impossible to ensure the identification of temporarily imported goods.
- **3.** The customs authorities may, however, authorise the use of the procedure without ensuring the identification of the goods where, in view of the nature of the goods or operations to be carried out, the lack of identification is not likely to give rise to abuse.
- **4.** Where the description of the goods in commercial documents is insufficient, the customs authorities shall take all necessary measures to ensure their identification.
- **5.** Unless otherwise provided by law, customs officers are authorized to grant the temporary importation regime.

5.4.2 Duration of temporary importation (Art. 483 of the CA)

In the absence of the cases expressly provided for by law and in binding international conventions of the Cape Verdean State, the maximum period of temporary importation is one year, extendable for two additional periods of one month each, in duly substantiated cases, by order of the Director of the Customs Circumscription.

5.4.3 Clearance of the regime (Art. 484 of the CA)

If temporarily imported goods are not subject to any prohibition or restriction measure in force, the temporary importation procedure may be determined upon payment of duties and other charges due.

The assessment of the duties and charges provided for in the preceding paragraph is made at the rate which is in force at the date of the discharge of the regime.

5.5 Temporary Export

The temporary export regime is the customs regime that allows the departure of goods from the country, with suspension of the payment of export tax, conditional on their return within a specified period, in the same state in which they were exported.

There is also the temporary export regime for outward improvement which allows the departure of national or nationalized goods from the country for a certain time, to be submitted to the operation of processing, preparation, processing or assembly, abroad, and the subsequent re-importation, in the form of the resulting product, with payment of taxes on the added value.

5.5.1 Authorization of the regime (Art. 495 of the CA)

The Director of Customs and the Heads of Customs Delegations may authorise the temporary export of certain goods, with the reservation that they are re-exported in their unaltered state, provided that they can be identified at the time of re-importation as the same goods which had been temporarily exported.

5.5.2 Identification of temporarily exported goods (Art. 495 of the CA)

At the time of temporary export, the customs authorities shall take the necessary measures to identify the goods temporarily exported on their return.
The use of special customs regimes, in view of the nature of each of its species and their applications, also has other important effects on economic activity, such as:

- **a)** The storage, in the country, of foreign goods, for a specified period, allowing the importer to maintain strategic inventories and the payment of taxes at the time of the order for consumption;
- **b)** Holding fairs and trade exhibitions; and
- **c)** The transport of foreign goods with suspension of taxes, between locations under customs control. In addition, by allowing the realization of events of a cultural, sports and scientific nature, with the use of foreign goods, special customs regimes allow greater integration of the country with the outside world.

5.6 Customs Litigation

Customs litigation designate all the rules relating to the birth, processing and conclusion of disputes concerning the interpretation and application of customs law.

Acts considered Customs Offences

Customs infringement is the violation of a requirement of customs legislation punishable in accordance with the provisions of the Customs Code, which defines customs infringement as being the typical, unlawful and culpable fact declared punishable by customs tax law.

Customs legislation recognizes two categories of offences, crime and administrative offenses. These are offenses punishable only by pecuniary penalties, while crime is punished with imprisonment and subsidiary with pecuniary penalty.

Crime

It is about entering the national territory or making out any goods without passing through customs.

The Customs Code provides that any attempt at customs infringement is considered to be the infringement itself. Observing an attempted crime, this intervention generally prohibits the accused from invoking his voluntary withdrawal.

Concealment smuggling is to have hidden in any means of transport and undeclared or manifested goods that constitute all cargo or the share of the highest cargo value, or not yet constituting it, have a value exceeding 1,500,000$00.

Administrative offenses

The Customs Code defines administrative offenses as

being the misway, that is, the passage in customs or from them to remove goods, making the tax supply in whole or in part, avoided, or even subtract the competent formalities, and graduates the administrative offense depending on verified circumstances.

Article 560, number 2 of the Customs Code, punishes with a fine of 1,000$ to 200,000$ the facts practiced

> **special customs regimes allow for greater integration between the country and abroad**

and considered administrative offense, unless the offenses are punished with penalties of a fine of greater amount.
Fines do not comply with arbitrary criteria, but the requirements of Article 562 of the Customs Code must be complied with.

Technical Customs Litigation

Criminal cases are referred to the Public Prosecutor's Office in accordance with Article 592, number 1 of the Customs Code, but issues related to the origin, tariff classification and value of goods are resolved by the Customs Technical Council in accordance with Article 614 of the Customs Code.

If the verification or re verification of the goods does not agree with the elements of the declarations, namely tariff classification, origin and value of the goods and the declarant of the goods disagrees and intends to challenge, the director, the head of the delegation, by order has the competent procedure organized.

After the proceedings have been brought, the remaining tax houses are notified in order to suspend all customs clearance procedures concerning identical goods that are pending or to be initiated, Article 621 of the Customs Code.

The customs official shall have 24 hours from the date of dispatch of the head of the customs office in question to submit the news report, Article 622 of the Customs Code.

The customs officer has 8 days to present a note justified by the elements of his disagreement and the declarant also has 8 days to declare whether he agrees with the administration or reasoned documents of his contest, in accordance with Articles 623 and 624, respectively, of the Customs Code.

5.7 International Business Centre (CIN)

Cape Verde's geostrategic positioning, economic development and the increasingly objective internationalization framework for the Cape Verdean economy suggest the implementation of an International Business Center, contributing to the emergence of new industrial, commercial and service activities, as catalyst elements of international trade in Cape Verde, as long as they are allowed by Cape Verde legislation.

Economic operators may be licensed to carry out industrial activities at the International Industrial Centre (CII), commercial activities at the International Trade Centre (CIC) and export oriented service activities at the International Service Centre (CIPS). Each specific activity of the CIN has a special customs and tax regime. Entities licensed under the CIN-CV shall be exempt from customs duties on the import of the following goods:

Tax benefits:

- Exemption from stamp duty on the formation of companies and capital increase, as well as in the

contracting of financing.

- Exemption from VAT (Value Added Tax), in accordance with the VAT Code, and the refund of the input tax is paid within 30 days.
- Tax benefits in the form of reduced rates of IRPC (Corporate Income Tax) for income derived from the exercise of industrial or commercial activities, and their ancillary or complementary activities, as well as the provision of services, apply to entities licensed in the form of CIN-CV.

International Center for Industry and International Trade Centre:

- **i.** 5% for entities with ten or more dependent workers;
- **ii.** 3.5% for entities with twenty or more dependent workers;
- **iii.** 2.5% for entities with fifty or more dependent workers;

International Service Centre:

- **i.** 2.5% for entities with four or more dependent workers.

- Exemption from the IUP (Single Property Tax) in the acquisition of properties for installation or expansion of the activity, being the attribution of this benefit conditioned to its acceptance by the competent municipal body.
- The Members of the licensed entities that operate in the CIN-CV are exempt from taxation of dividends and interest.

Customs Benefits:

- Exemption from customs duties on imports of certain categories of goods intended for the operation of licensed activities:
  - **1.** Materials and equipment incorporated directly into the installation, expansion or remodeling of projects not intended for sale, namely metal structures, civil construction materials, sanitary equipment, electrical and electronic equipment, as well as their accessories and separate parts, when accompanying them;
  - **2.** Separate equipment, machinery, appliances, instruments and utensils, as well as their accessories and separate parts;
  - **3.** New public transport vehicles intended for the urban transport of passengers, properly equipped, and heavy vehicles intended for the carriage of goods, imported by companies in the sector;
  - **4.** Material for packaging and wrapping of products manufactured by the beneficiary company;
  - **5.** Raw materials and subsidiaries, finished and semi-finished materials and products intended for incorporation into products manufactured by the company.

Imports of goods, products and raw materials by entities installed and operating in the CIN do not require an import license.

Licensing:

The application for a license may be submitted by the applicant on his behalf or in the name of the company to be set up or a branch to be registered, through the form provided by *CVTRADE INVEST*.

Registration in CIN:

- List of required documentation:
  - Copy of the identification document of the promoter;
  - Project description or Project Executive Summary (maximum two pages);
  - Curriculum Vitae of the promoter or representative of the promoter (in the case of an individual person), or presentation document of the promoter, with references on relevant activities (being a legal person);
  - Social Pact / Certificate of Commercial Registration;
  - Certificate of commercial registration of the company in the country of origin (whether or otherwise representing a foreign company).
- For the registration of industrial projects at the International Industry Centre:
  - Indication of the types of products to be manufactured;

- Production capacity of the industrial unit;
- List of the main production equipment;
- Brief description of the production technologies used;
- Information on the production of effluents, solid waste and waste;
- Indication of relevant innovative technologies to be used.

5.8 Import licensing and issuance of the Foreign Trade Title (TCE)

The Foreign Trade Title is the administrative document for import licensing (import act) prior to customs clearance of goods. The issue of this document is the duty of the entity responsible for the trade sector.

All instructions for completing the TCE and other additional information can be found in Ordinance No. 3/2004 of January 26.

Who can import – General Principles (Law Decree No. 69/2005 of October 31):

- **1.** Import operations are free for importers and exporters, accredited under the law.
- **2.** Natural persons may only import goods in quantity that do not reveal trade practice, as regulated (Ordinance No. 4/2004 of January 26).
- **3.** Legal persons who do not have in their social purpose the import trade may import goods only in accordance with their applicable sectoral legislation.
- **4.** If natural or legal persons are not qualified/ accredited to import the goods or their quantity, they shall transfer the ownership of the goods to a company licensed for this purpose.

Administrative System

The administrative system of imports comprises the following modalities:

- **1. Imports exempted from licensing;**

  Exempt from licensing are:

  - **a)** The import of "goods without commercial value", in the terms that may be defined in an ordinance of the member of the Government responsible for the external trade area;
  - **b)** "Inward and Passive Processing" operations, temporary import, re-import in the state, re-export and transit;
  - **c)** Imports of goods subject to the "Special Customs Regimes" in the modalities of free shop, secured deposit, free deposit and special bonded deposit;
  - **d)** The "industrialized goods" intended for consumption in congress grounds, fairs and international exhibitions and similar events;
  - **e)** The import of goods for the "supply of ships and aircraft" in accordance with the legislation applicable to them;
  - **f)** "Goods seized" abandoned, found at sea or bold or saved from shipwreck and sold at auction;
  - **g)** The import of goods "without foreign exchange", owned by air or sea shipping companies, and intended for their exclusive use.

- **2. Imports subject to automatic licensing;**
  All goods are subject to automatic licensing, except those defined in the previous point.
- **3. Imports subject to non-automatic licensing;**
  - **a)** Goods subject to non-automatic licensing are:

    i. goods subject to sanitary, phytosanitary and safety controls;

    ii. Goods subject to the restrictions mandatorily defined by law.
  - **b)** The application for importation of the goods referred to in the preceding paragraph shall be accompanied by a certificate of conformity issued by the competent authorities.

Effective

- **1.** Automatic licensing will be carried out upon presentation of the Customs Declaration at Customs.
- **2.** Non-automatic licensing will be carried out within a maximum of 21 days from the date of submission of the Customs Declaration at Customs.

Statement

- **1.** Customs declarations of import and export are made by importers and exporters or by their official brokers, directly at customs.
- **2.** By Ordinance No. 3/2004 of January 26, the procedures to be adopted in the Process of Foreign Trade are defined between the various governmental and private entities involved.

Competence

- **1.** The licensing of import and export operations is the responsibility of the Ministry responsible for the area of trade.
- **2.** In the case of non-automatic licensing, the respective competent authorities shall grant their prior authorization.

Bank intermediation

- The liquidation of foreign trade operations is carried out in accordance with the exchange rate law.

Customs clearance

- All goods subject to customs clearance must comply with Cape Verde customs laws and regulations.

5.9 Customs tariff and Nomenclature

Customs tariff - Click and access the online tariff

Tariff Customs is one of the main instruments that regulates foreign trade by providing all information relating to the taxation of goods imported from third countries. It is based on the Nomenclature of the Harmonized System for the Designation and Codification of Goods (SH), approved by the World Customs Organization (OMA), of which Cape Verde is a member.

This legal instrument consists of charts or tables in which the various goods are designated, systematically distributed and codified by tariff positions and subpositions, in which the fees to which the goods are subject are recorded, in their movement of entry and exit in a Customs jurisdiction;

What is the Customs Tariff for:

- Harmonize, designate and codify goods;
- Apply the state's tax and economic policies;
- Protection of public health and statistics

Harmonized System of Designation and Codification of Goods (SH)

The Harmonized System is a resource used by more than 200 countries and economies as a basis for their customs tariffs and for the collection of international trade statistics. It is an international product nomenclature developed by the World Customs Organization (OMA).

Its main objective is to have a single worldwide system of designation and codification of goods that can be used in the preparation of tariffs on customs duties and freight, statistics of import and export trade, production and the different means of transport of goods, among other applications.

The Harmonized System, known as SH, is a systematic nomenclature composed of:

- General interpretive rules (RGIN)
- Notes of sections, chapters, subchapters, positions and sub-positions
  - 21 sections
  - 96 chapters
- 5018 distinct categories of goods, including:
  - 311 undivided positions
  - 2449 1-dash sub-positions
  - 2258 sub-positions of 2 dashes

Classification of goods within the SH
Nomenclature - classification of goods

- **a)** Chapter - the indication of the chapter in the code is represented by the first two digits;
- **b)** Position - the position within the chapter is identified by the first four digits;
- **c)** Simple sub-position - is represented by the fifth digit;
- **d)** Composed sub-position - is represented by the sixth digit;
- **e)** Item - is the subdivision of the SH, represented, in the code, by the seventh digit;
- **f)** Sub-item - is the subdivision of the item, represented, in the code, by the eighth digit.

MODULE II

FOREIGN TRADE PROCEDURES

Import

6.1 Administrative Procedures

6.1.1 Importer's License

To proceed to licensing as an importer, the interested party must first proceed to the creation of the company through the Chambers of Commerce, Citizen's House or Conservatory of registrations, notarial and identification. For this, it is necessary to:

Creation of the Company

- Make the request for the Certificate of Admissibility of Firm (CAF) where the Member can choose three names related to the company's activity, the headquarters, legal nature and Social Object - A company that intends to do import and export activity has to choose section G (wholesale) to be able to have the import duties of the products. **Cost of CAF - six hundred escudos (600$00).**

- After CAF confirmation, moves to the procedure of the creation of the company where the partners must present the identification documents (BI, CNI or Passport) and NIF,

- Limited Liability Companies, minimum capital required of ten thousand escudos (10,000$00) for each partner. The opening cost is 10,000 escudos unless the company is created in the REMPE (Special Micro and Small EnterpriseS Regime) where the cost is 0.

  - Present a term of responsibility of the account officer with recognized signature, except for THE RMPE companies;

- Public Limited Companies have a cost of 1,000 escudos ($1000) for each Share (minimum of 10 shares):

  - Present a term of responsibility of the account officer with recognized signature;
  - Statutory Auditor indication;
  - If the Partners are not able to be present at the time of creation of the company, the Applicant must present the following documents:
  - Power of attorney, in the case of a natural person;
  - Minutes and / or power of attorney and commercial certificate in the case of a national company;
  - Minutes and / or power of attorney and commercial certificate in the case of foreign company (translated and authenticated in the Embassy);

If there are under aged partners

- Ballot, Birth Certificate, BI or CNI of the minor;

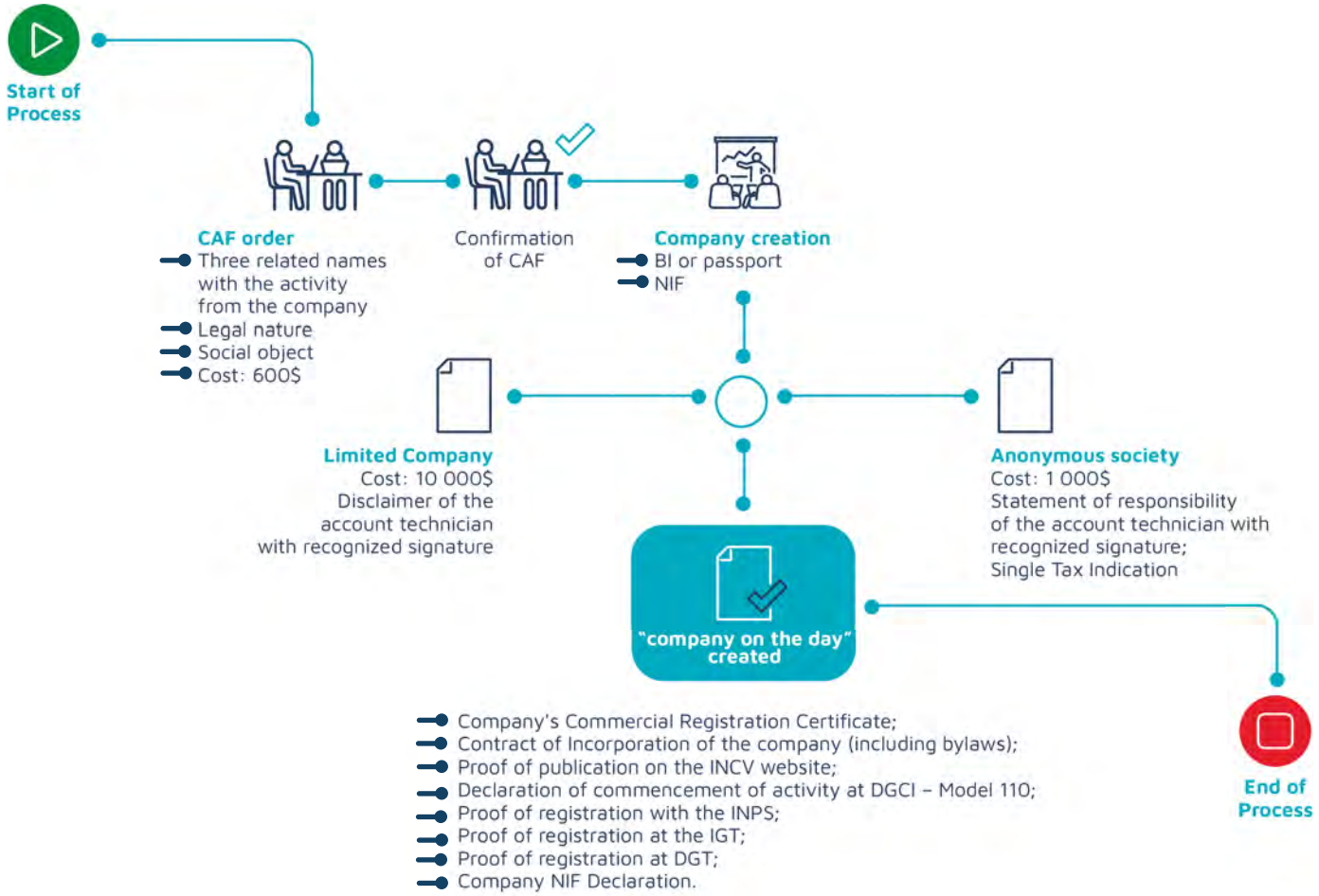
- NIF;

- Statement by the mother and father that authorizes the child to participate as a partner in the company (recognized signature);

After the creation of the "Company on the Day" will be delivered the following documents:

- Commercial Registration Certificate of the Company;
- Contract for the constitution of the company (including statutes);
- Proof of publication on the INCV website;
- Declaration of start of activity in DGCI - Model 110;
- Proof of registration with INPS;
- Proof of registration with IGT;
- Proof of registration in the DGT;
- Company's NIF Statement.

Importers' License - Company Creation



6.1.2 Documents required for importer license

To obtain the commercial license for importation, the following documents are required:

From the Company

- Commercial Registration Certificate of the Company (updated);
- Contract for the constitution of the company (including statutes);
- Declaration of start of activity in DGCI - Model 110 (for companies with less than one year from start of activities);
- Statement of tax authority - Proof of tax situation (for companies with more than one year from start of activities)

From the Manager

- Partners identification documents (B.I., CNI or passport if foreigner);
- Certificate of Literary Qualifications or equivalent documents;
- Criminal Record Certificate;
- Power of Attorney (if request is made through another person);
- Residence card or type of visa in case the manager is a foreigner;
- Applicant's statement that he is civilly capable and no inhibited from trade (signature recognised)

From the Commercial Establishment

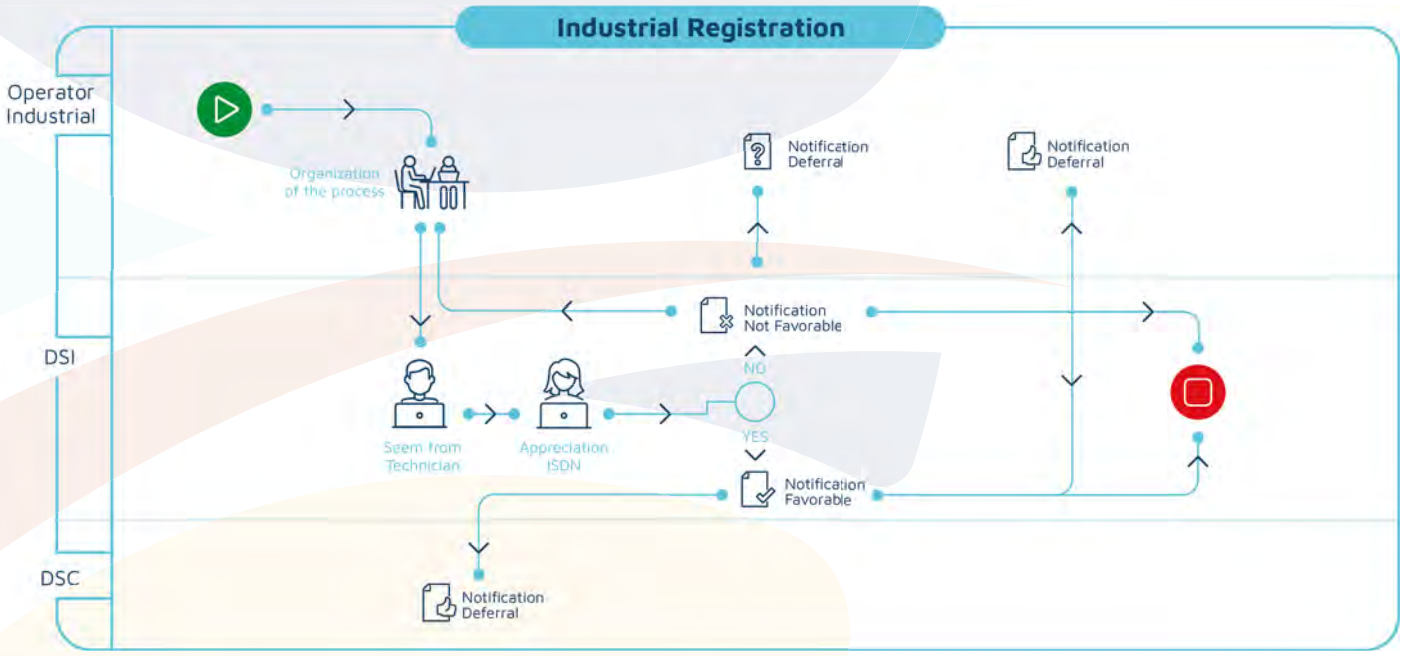
- Matrix Certificate (in the case of own space)
- Updated Location Plan;
- Internal Plan approved by the City Council or Sketch in the cases of establishments with sales area up to 100m2;
- Endorsement lease contract (minimum term of 1 year) by CM and DGCI - (in the case of leased space);
- Declaration of Concession - (in the case of space concession)

Costs

- The cost of a licence to carry out wholesale activity is fixed for both importer and exporter – twenty thousand Cape Verdean escudos (20,000$00);
- Only the importer should pay a survey fee of 10,000 escudos to the health station of the county where the company is located;
- The Inspection Fee paid to the Chambers of Commerce varies according to area of the establishment

Wholesale establishment survey rate	
Establishment area	**Value**
Gross lettable area less than 50 m2	10.000 ECV
Gross lettable area equal to or greater than 50 m2 but less than 100 m2	15.000 ECV
Gross lettable area equal to or greater than 100 m2 but less than 500 m2	25.000 ECV
Gross lettable area equal to or greater than 500 m2 but less than 1,000 m2	35.000 ECV
Gross lettable area equal to or greater than 1,000 m2	60.000 ECV
Commercial set inspection fee	
Gross lettable area less than or equal to 1,000 m2	50.000 ECV
Gross lettable area greater than 1,000 m2	100.000 ECV

6.1.3 Industrial import approval



Process organization:

The dispatcher fills out the forms referring to the Table of Goods and Equipment (with unlimited exemption in time) and / or Raw Materials and Subsidiary Board (with limited exemption in time), as well as the company's data in the IGRP system and submits to the service responsible for the industry.

Technical analysis:

The technician analyzes the process and issues his positive or negative opinion, or if necessary, notifies the dispatcher for due corrections in the process.

Approval of the Director responsible for the industry service

The Director shall assess the opinion of the technician, comparing it with the application procedure and approve the opinion.

Notification

The dispatcher receives a negative or positive notification of the process via your email.

General Requirements and Required Documentation:

a) Applicant: in case the Manager/partner is not the one to deliver the industrial licensing process:

- Power of attorney (in case of interposed person);
- Identification document (BI, CNI or Passport);
- Tax Identification Number - NIF.

b) Company:

- Business Registration;
- Company Bylaws;
- Tax Identification Number - NIF.

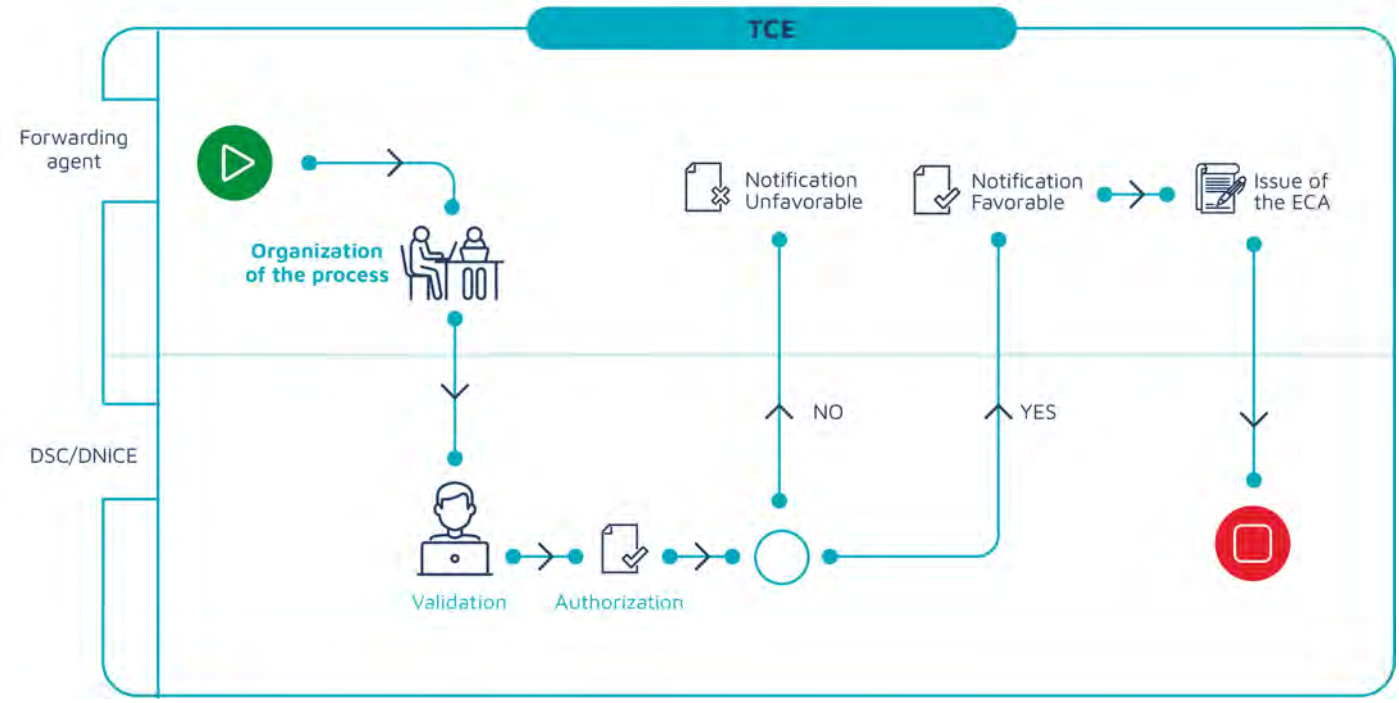
c) Manager/Owner:

- Commercial Registry, indicating the name of the managers;
- Identification document (BI, CNI or Passport);
- Tax Identification Number -NIF;
- Document of proof of residence: in case of being a foreign person.

d) Establishment:

- Location plan, with proper use (Industry, Services or Mixed);
- Factory installation plant (at convenient scale);
- Matrix Certificate or Land Registry;
- Lease Agreement, approved by the Municipal and Finance Services or authenticated space assignment document;
- Construction License (new construction);
- Description of the Project, Establishment and Activity performed;
- Economic and Financial Feasibility Study of the Project or Business Plan detailing the project;
- FPI models (Industrial Design Form) duly filled in.

6.1.4 TCE request and authorization



Process Organization

The operator/dispatcher, after placing the order and receiving the invoice or pro forma, organizes and submits the process in the IGRP system that will automatically be available to the services responsible for trade and/ or regional directions for analysis.

Process analysis

The services sector responsible for the trade area analyzes the process using the following criteria:

- It is verified that the company holds an import permit, its expiry date and that the imported product is in accordance with the class licensed by the competent authority;
- It is verified that the data entered in the TCE (shipper name, importer name, contract type (Incoterms), value, country of origin and country of destination) are in accordance with the invoice;
  - For operations of tourist companies it is verified the authorization of the Director General of CAUT (Commission for the Evaluation of Tourist Utility);
  - In the case of a product of animal or plant origin, it is verified the existence of health or phytosanitary certificate;
  - For TCE of industrial companies, the dispatcher requests the application according to the approved industrial register. Registration is requested via IGRP from the industry service that is connected to the IGRP of the TCE. With the approved registration, the dispatcher submits the application for industrial TCE.

Authorization

- If the process meets all the requirements defined by law, it is approved and the TCE (Foreign Trade Title) is issued.

The operator/dispatcher may also request the extension of the TCE as well as rectification or cancellation.

6.1.5 Pre-import sanitary permit

- **I.** The Operator /Legal Importer requests the DGASP-Veterinary Administration, at least 15 days in advance, a Pre-import Sanitary Authorization for each type and batch of goods, by filling out the data requested in the form, with the following information:
  - Name and address of the importer;

- Product name, nature or type of product, number and/or quantity or weight;
- Purpose for imported products (consumption, marketing);
- Provenance of the products (country and place of origin);
- Full address of the supplier;
- Means of transport to be used for its import (sea or air);
- Name of the Port or Airport of entry.

- **II.** The DGASP - National Veterinary Administration or the Delegations of the MAA of São Vicente, Boavista and Sal - as local Veterinary Authorities with Sanitary Inspection Services with competence in the field of Import/Export make the risk assessment and analysis based on OMC SPS standards and sanitary standards of the World Organization of Animal Health OIE codes, the national legislation and CODEX of the exporting country and the agreement and/or acceptance of the certification conditions of the exporting country and takes the decision on the application. The existence of a health agreement or the acceptance of the procedures for the sanitary certification of goods (animals and products) and the Quality Certificate (iodized salt, mayonnaise and veterinary medicinal products), between the authorities of the exporting and importing countries is the basis of the risk analysis and decision.

- **III.** Requirement of a prior sanitary inspection and health certificate at origin by the Official Sanitary Authorities of the exporting country (zoo-sanitary law, article 16); if there is a health agreement or acceptance of the conditions of certification by the national health authorities, the Sanitary Authorization for Importation is issued, fixing the sanitary conditions; The sanitary certificate is a basic requirement, and is issued after the sanitary inspection procedures by the Official Sanitary Authority of the country of origin of the goods based on sanitary standards and the SPS agreement, the OIE and national and exporting country legislation and must accompany the goods;
  There are more requirements of DGASP from other certificates of other zootechnical nature (animals), quality (iodized salt) etc.;

Inspection and Sanitary decision at entrance

The goods are subject to a sanitary inspection at entrance, in particular at the Inspection Services at the designated Authorized Entry Doors[2], number 2 of Article 16 of the International Border Inspection Act (PIF), which operate under the responsibility of the National/Local Administration and Veterinary Authority, designated and approved for carrying out inspections and veterinary controls of "products" from third countries that arrive at the national border by any means.

Or in the physical spaces (warehouses, premises or sites) well identified and determined with officially accepted functionality conditions, when there is acceptance of the application and / or issuance **of a post-survey authorization** by the Sanitary Inspection Services of the MAA and also when in specific circumstances the importer is constituted as FAITHFUL DEPOSITARY (written and legal term of commitment).

Procedures

- By requesting an application for authorization, to be requested by the interested party at least 15 days before the decision to import;

- By the verification of the manifests of ships and aircraft and their agreement with the documents submitted (health certificates or other veterinary documentation);

- Documentary Verification of the Sanitary Certificate of Origin and/or quality certificate (in the case of veterinary medicinal products, iodized salt and mayonnaise), manifest or other veterinary documentation);

- Regarding identity (agreement between certificates or other veterinary documentation and the products constituting the batch or consignment);

- Physical: Organoleptic verification of the merchandise/product, its status, its presentation/ preservation and its correspondence with the identification in the documentation;

- The conditions of labelling (lot, date of production, expiration date, health mark, storage temperature, etc.), packaging and identification in relation to standards, national laws and international standards (Packaging regime,...);

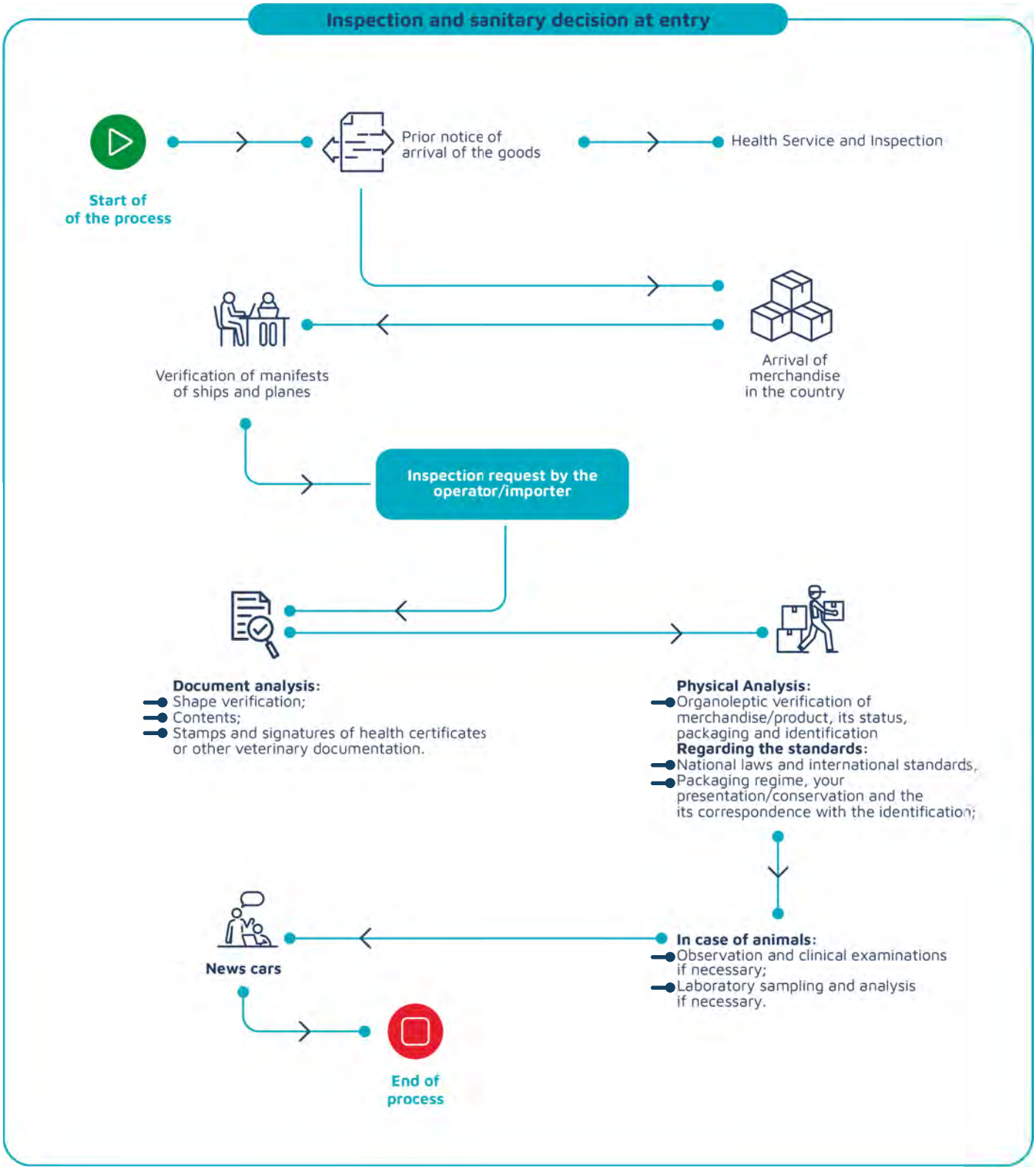
- In case of animals, observation and clinical examinations if necessary;

- Laboratory sampling and analysis if necessary in accordance with standards and legislation;

- Preparation of official reports Sanitary Inspection official report if there is any infraction and in case

of disapproval it is elaborated official seizure report and official destruction report.

[2] Authorized Entry Doors - governed by ordinance 55/97. Indicates the ports and airports through which vegetables and vegetable products are introduced into the country and exported.



6.1.6 Phytosanitary procedures for the importation of vegetables and products of plant origin, regulated articles, pesticides, nourishments and fertilizers

Import of vegetables and plant products:

Law No. 29/VIII/2013 of May 13 establishes the country's phytosanitary standards and decrees the provisions on internal phytosanitary control and the import and export of vegetables or plant products.

The import of vegetables and plant products is regulated by ordinance no. 57/97 of 9 September. By virtue of this ordinance, it is subject to the prior authorization of the General Directorate of Agriculture, Forestry and Livestock the import of vegetables and plant products, such as seeds, plants, fruits, flowers, etc., regardless of the purposes for which they are intended.

For phytosanitary issues, this law covers **Seeds**, which also has a specific regulation, DL 5/2016 - BO 16 January 2016 which regulates the import, production, marketing and use of seeds for agricultural use.

The importation of vegetables and plant products to which it refers may only be authorized to importers on a professional level, registered in the Commercial Register.

Applications for phytosanitary authorization must be filed with the General Directorate of Agriculture Forestry and Livestock, instructed with a certified photocopy of the importer's title, which must be submitted to the order of the General Directorate of Agriculture Forestry and Livestock within a maximum of five days from the date of entry of the respective application.

DGASP, through its phytosanitary services, is responsible for analyzing the phytosanitary risks of imports, concerning the countries of origin, the origin of the import, compliance with the import requirements, previously established, when it is considered appropriate.

The import of vegetables and plant products shall be subject, at the time of presentation at the points of entry located in the national territory, to the carrying out of a sanitary check by phytosanitary inspectors and to the presentation of the required documents: **Prior phytosanitary authorisation for importation**, issued by the competent national authority DGASP, and a **Phytosanitary Certificate** issued by the official services of the country of origin; All vegetables and/or plant products must be subjected to **phytosanitary inspection** at entry into the country.

Products in transit: Vegetables and plant products may transit through ports and airports open to international traffic provided that it is technically justified that there is no danger of the spread of harmful organisms.

The traffic conditions referred to in the preceding paragraph are set out in Ordinance No. 39/2015.

A. Before import:

- **1. Request the Phytosanitary Authorization** of importation through the model established by the Phytosanitary Law No. 60/97 of 15 September, before starting the process of import and shipment at the place of origin, mentioning the following:

  - Name and address of the importer.
  - Probable arrival dates to the destination country.
  - Product name, nature or type of product, number and/or quantity or weight.
  - Purpose for imported products (consumption, marketing, propagation, research, etc.)
  - Product source (country and place of origin)
  - Full address of the supplier.
  - Means of transport to be used for its import (sea or air).
  - Name of the Port or Airport of entry.

Applications for phytosanitary authorization must be filed with the General Directorate of Agriculture, Forestry and Livestock, instructed with a certified photocopy of the importer's title, which must be submitted to the order of the GDAFL within a maximum of five days from the date of entry of the respective application. GDAFL, through its phytosanitary services, is responsible for analyzing the phytosanitary risks of imports, concerning the countries of origin, the origin of imports, compliance with the import requirements, previously established, when it is considered appropriate.

NOTE:

- **a)** For the issuance and delivery of phytosanitary authorization are stipulated 5 days for favorable decision or not.

- **b)** Operators with electronic means may send and receive their documents electronically and present proof of payment by the same way, without face-to-face travel to GDAFL.

- **2. Send** the phytosanitary authorization for importation to the supplier who should contact the National Plant Protection Organization of the country of origin to perform the phytosanitary conditions mentioned in the authorization and

certify the phytosanitary status of the goods.

- **3. Ask** the supplier to send the original Phytosanitary Certificate together with the goods.

- **4.** The Importer shall **inform** the Phytosanitary Inspection Service of the border post, at least 48 hours before the arrival of the goods, providing him with all the information and collaboration at his reach or that he is aware of.

B. Upon arrival:

- **1. Contact** the Phytosanitary Inspector of the border post **and present the original documents:** phytosanitary authorization for importation and Phytosanitary Certificate

  - By means of prior communication of the arrival of the goods made by the party concerned in the shipment (the importer or his representative);

  - The verification of the manifests of ships and aircraft and their agreement with the documents submitted (phytosanitary certificates or other phytosanitary documentation);

  - Documentary (verification of the form, content, stamps and signatures of phytosanitary certificates or other phytosanitary documentation);

  - Identity (agreement between certificates or other phytosanitary documentation and the products that make up the batch or consignment);

Note.: Vegetal or plant products to be imported must be accompanied by the corresponding phytosanitary certificate issued by the official plant protection or plant quarantine authority of the country of origin, in accordance with the International Convention for Phytosanitary Protection (CIPV).

2. Submit the goods to phytosanitary inspection

  - Physical: Verification of the goods / products, its status, its presentation / conservation and its correspondence with the identification in the documentation;

  - The conditions of labelling, packaging and identification in relation to national standards, laws and international standards (packaging regime...);

  - Laboratory sampling and analysis if necessary in accordance with standards and legislation;

  - Preparation of official reports;

C. Phytosanitary decision after inspection:

- **1.** If the goods are compliant, the pick-up is authorized.
- **2.** If the goods do not comply with:

  - If harmful organisms visible to the naked eye or dubious are found: immediate disinfection or disinsectisation of the goods is requested prior to release. However, in the event of the removal of a quarantine body, the product will be destroyed or resubmitted to its origin.

  - If previously stipulated in the phytosanitary authorization of import: samples are collected for analysis in the laboratory and/or quarantined retention.

  - Quarantined retention for phytosanitary observation can last at least the entire period of vegetation. A follow-up may continue in the field after the quarantine period.

NOTE:

The phytosanitary inspector may order, by technical argumentation, the return or destruction of all goods in the following cases:

- Verified an inadequate phytosanitary status, presence of quarantine organisms endangering vegetables in the national territory;

- Absence or non-conformity of the required documents (phytosanitary authorisation for importation and/or phytosanitary certificate of origin), and

- If the country does not have technical means for safe disinfestation or disinfection.

NOTE:

- In any of these cases, the costs are to the importer.

- The National Plant Protection Services shall not assume recurrent losses where it is necessary to take measures such as disinfection, return, confiscation, incineration, storage, etc.

- Imported plant materials will only be released if they are in perfect phytosanitary condition.
- Failure to comply with the requirements established for importation may lead to a ban on the entry of goods into the country by inspectors working at borders under the coordination of DGASP.
- In case of change of status or phytosanitary situation in the country of origin, which may constitute a danger to the good phytosanitary condition of our agriculture, DGASP may suspend imports from the country in question.

Costs

The sanitary authorization and prior authorization for importation have a cost of 300$00 each.

The inspection for both products of animal origin, as well as imported vegetables and products of plant origin and the issuance of export certificate give rise to the collection of a fee whose values and modalities of its collection is **fixed by Decree-Law No. 13/2013** of April 1, rectified April 5.

Note: Refer to the attached table for other costs related to authorizations and phyto/zoo/sanitary inspections in the Other Costs topic.

Import procedures for other agricultural production factors:

- Pesticides: D.L. 26/97 of 20 May 1997, BO I Series, 19/1997 – regulates the import, marketing and use of phytopharmaceuticals products for agricultural use.

NOTE: the drafting of a framework law for the regulation of pesticides for all purposes, and the drafting of sectoral regulations for pesticides not only for agricultural use, but also for veterinary use and use for public health is underway;

This diploma, DL. 26/97 of 20 May 1997, stipulates that the marketing of pesticides for agricultural use depends on the prior authorization of DGASP. This authorization is valid for 3 years, renewable. **The entity interested in importing and marketing pesticides for agricultural use must comply with certain technical and regulatory requirements,** namely:

- Have adequate training on the handling, use and application of phytosanitary products;
- Have a person technically qualified for the handling of phytosanitary products;
- Have technically advisable storage conditions;
- Have means of protecting against the risks of handling phytosanitary products;
- Have adequate means of transport for pesticides, and
- Comply with the standards emanating from packaging and/or repackaging of products.

After having received its authorization to carry out this activity, for each import to be carried out, the Entity shall request a prior authorisation to import the intended pesticides, **but only pesticides on the list of authorised pesticides published by DGASP.**

- **Fertilizers: DL 6/2016 BO January 16, 2016:** regulates the import, marketing and use of fertilizers for agricultural use and DL 13/2020: Approves CEDEAO Regulation C/REG.13/13/12/12 on Quality Control of Fertilizers in CEDEAO space.

Dl 6/2016 of 16 January 2016 states that operators wishing to carry out the activity of importing fertilising materials must register with DGASP, through an application addressed to the General Director of Agriculture, Forestry and Livestock for the purpose of obtaining prior authorisation for the subsequent obtaining of the import license.

The prior authorization is valid for **1 (one) year**, renewable, upon request for the same period.

The renewal of the prior authorization must be requested at least **60 days** in advance of its expiry.

For the importation of fertilising materials, the operator requests an Import Authorization from DGASP, by completing the form of the "Application for Import of Fertilizer Materials" which must be made in advance of the arrival of the product.

After the analysis of the application, if everything is according, the importer will receive the import authorization in person or via email, and must ask his supplier for quality control certificates of the country of origin, which must be presented with the prior authorization at the time of customs clearance.

Where imported fertilisers are of organic origin, contain mixtures of organic matter or other products which may give rise to pests and diseases, it is mandatory to present a **plant health certificate** issued by the plant health protection body of the country of origin.

- **Seeds:** DL 5/2016 - BO January 16, 2016 regulates the import, production, marketing and use of seeds for agricultural use.

Dl 5/2016 of 16 January 2016 defines that the import of seeds and seedlings is subject to a prior authorisation or declaration from the National Seed and Seedling Service (SENASEM), the authority responsible for controlling seed imports and exports.

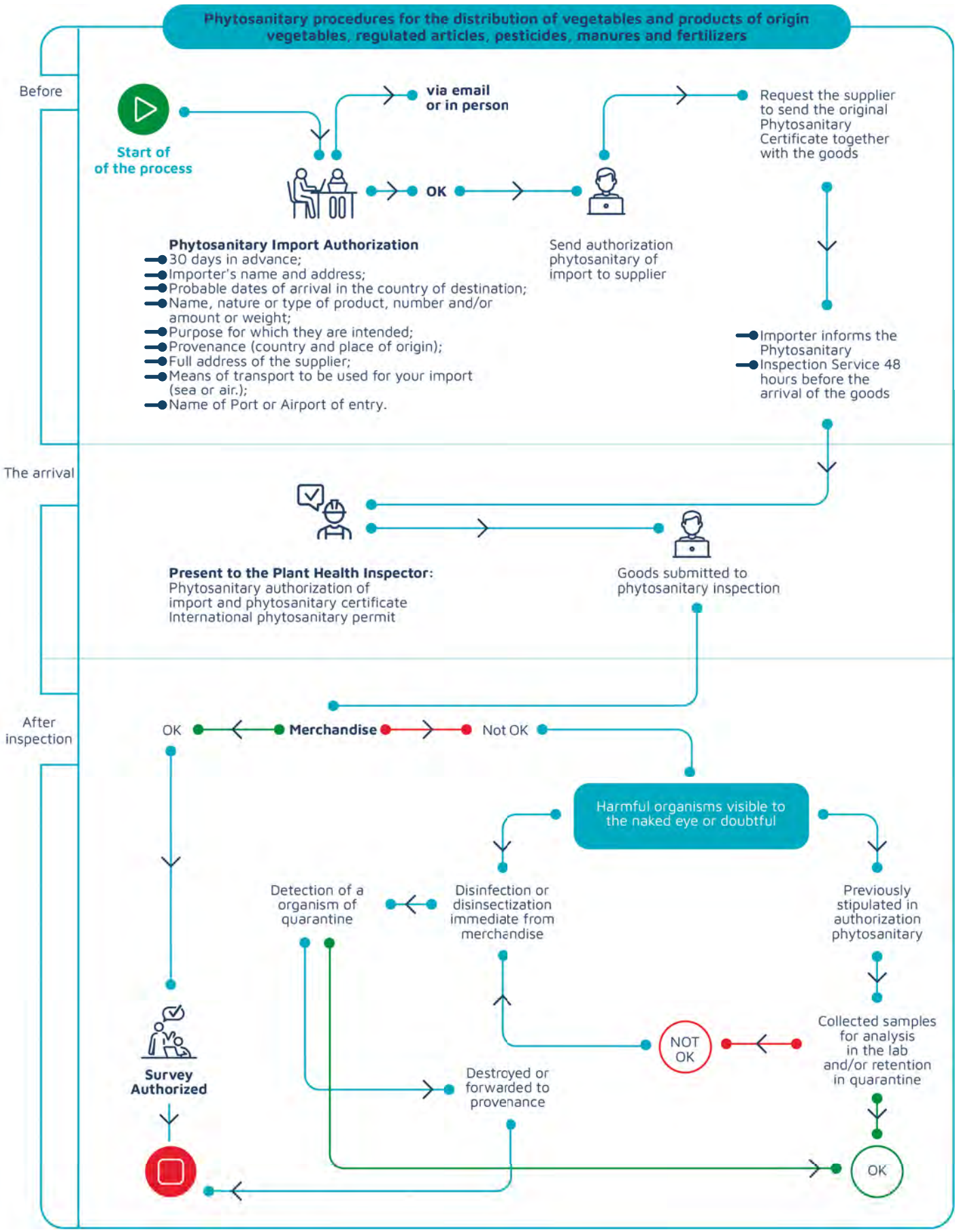
Natural or legal persons, public or private, who import seeds and seedlings are required to register with SENASEM. The application for registration shall be addressed to the General Director of Agriculture, Forestry and Livestock in his own form and upon payment of registration fees and the costs of assessing the requirements for licensing. A dispatch must be issued within a maximum period **of 60 (sixty days)**, under penalty of tacit approval.

The entity that wishes to import seeds and seedlings must meet the following requirements:

- Have appropriate facilities and equipment to develop the activity
- Have qualified personnel
- Provide all kinds of information requested by SENASEM
- Make true statements on registration forms

The license is granted or renewed on the basis of the result of the assessment of compliance with the requirements mentioned above. Licenses granted or renewed are valid for **1 (one) year**.

After receiving the license for the exercise of the activity, the importer shall follow the same procedures for the importation of vegetables and plant products described above.


Phytosanitary procedures for the distribution of vegetables and products of origin vegetables, regulated articles, pesticides, manures and fertilizers
Before
Start of of the process
via email or in person
OK
Request the supplier to send the original Phytosanitary Certificate together with the goods
Phytosanitary Import Authorization
30 days in advance;
Importer's name and address;
Probable dates of arrival in the country of destination;
Name, nature or type of product, number and/or amount or weight;
Purpose for which they are intended;
Provenance (country and place of origin);
Full address of the supplier;
Means of transport to be used for your import (sea or air.);
Name of Port or Airport of entry.
Send authorization phytosanitary of import to supplier
Importer informs the Phytosanitary Inspection Service 48 hours before the arrival of the goods
The arrival
Present to the Plant Health Inspector:
Phytosanitary authorization of import and phytosanitary certificate
International phytosanitary permit
Goods submitted to phytosanitary inspection
After inspection
OK
Merchandise
Not OK
Harmful organisms visible to the naked eye or doubtful
Detection of a organism of quarantine
Disinfection or disinsectization immediate from merchandise
Previously stipulated in authorization phytosanitary
Collected samples for analysis in the lab and/or retention in quarantine
NOT OK
Destroyed or forwarded to provenance
Survey Authorized
OK

6.1.7 Procedures for importing fishery products

The Competent Authority (CA) for fishery products is the General Fisheries Inspectorate (IGP), central service of the Ministry of the Sea. The central service is located on the island of São Vicente, with delegations on all the islands.

The import of fishery products needs the authorization of the CA, in compliance with the requirements mentioned in Ordinance 10/2001 of June 3.

The imported products, which must comply with the requirements of hygiene, health and quality assurance contained in Ordinance 06/2002, must be accompanied by a Sanitary Certificate, Certificate of Origin and the Certificate of Capture, to be presented to the CA.

Procedures for the importation of fishery products

- **1.** The company requests the import by completing the "Import Authorization Application" that must enter the CA at least 7 days in advance of the arrival of the product;
- **2.** The application is analyzed and if everything is in conformity, the import authorization is made issuing the "Sanitary Import Authorization" valid for 1 month;
- **3.** By the date of arrival of the product, the originals of the sanitary, origin and capture certificates must be delivered;
- **4.** After the arrival of the product in the country, the company must make the request for inspection in writing. This request must be submitted at least 24 hours in advance and shall include the date and time required for the inspection;
- **5.** A response is issued stating whether the inspection can be made on the required date and time;
- **6.** The inspection of the product can be done at the port or airport, depending on the border of arrival. If the company wishes to have the inspection carried out in its establishments, it shall refer to this fact in the letter of the request for inspection;
- **7.** In the event that the company requests inspection of the product in its establishments, a post pick up inspection authorization will be issued. This post pick up inspection authorization will serve solely and exclusively to allow the collection of the product at the border of arrival and nothing more than that;
- **8.** If the inspection of the product has been authorised in the importer's establishments, the latter shall wait for the presence of the CA to open the load;
- **9.** After inspection of the product, if it complies with the legislation, the Sanitary License of Import is issued and releases the product.

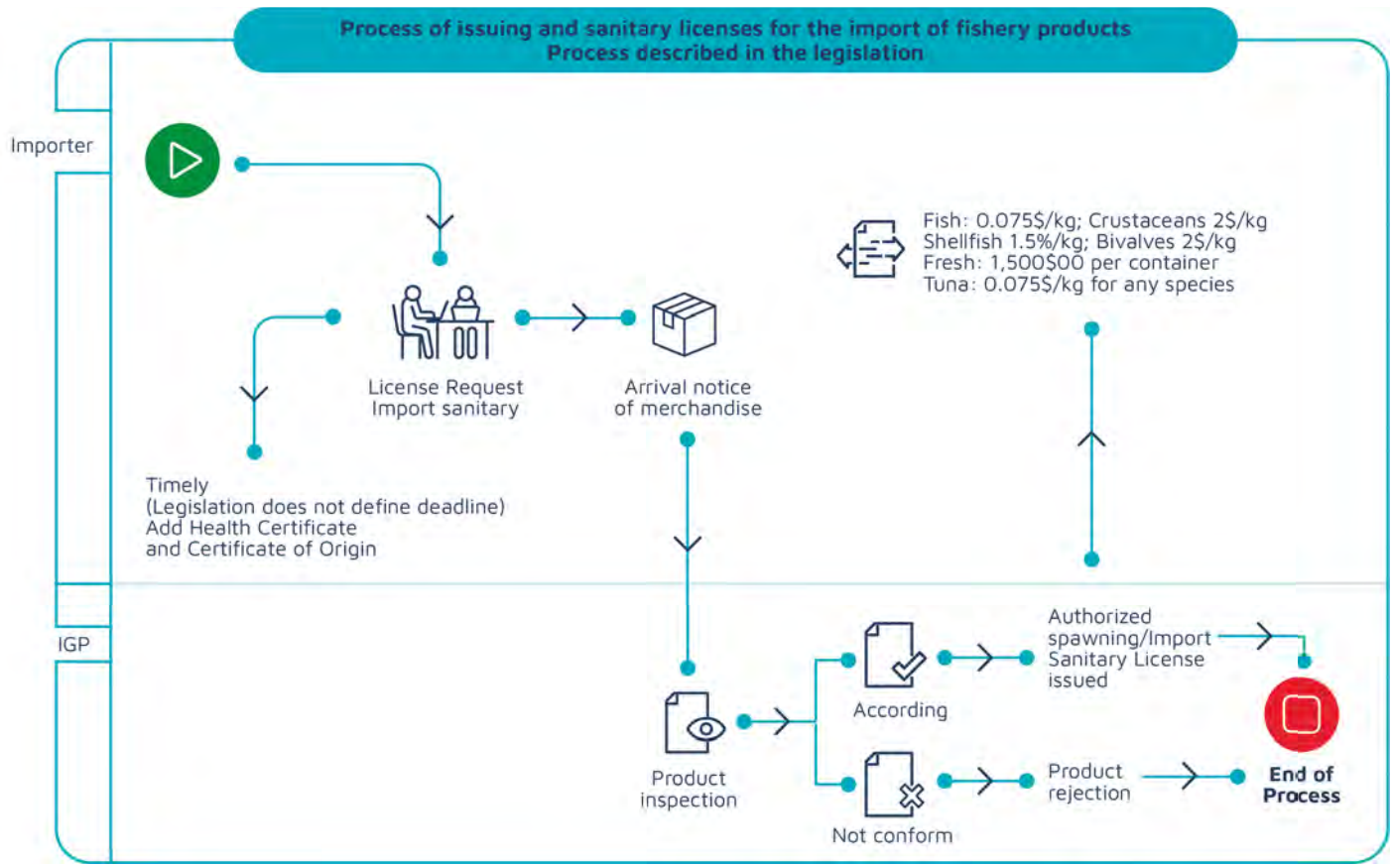
NOTE:

- The non-delivery of health, origin and catch certificates therefore implies the non-authorisation of the withdrawal of the product;

Certificate of arrest

The Certificate of Arrest shall be issued, when it is found that the product is unfit for human consumption or fraud or loss of quality is detected.

If the person in charge of the company acknowledges the infringement, he must sign an attached "Declaration of Recognition of Arrest".



6.1.8 Certifications of the National Directorate of the Environment - Ecological Products & Protection of Fauna and Flora

This direction's mission is to design, coordinate, control, implement and evaluate the specific policies defined by its Ministry for the environmental sectors.

It has as a range of service the regulation of the production, export, re-export and import of substances, equipment and other appliances that deplete the ozone layer as well as the import and export of toxic waste and the issuance of a license for export, re-export and import of endangered Species of Wild Fauna and Flora among other services.

I. Substances, equipment and other appliances that deplete the ozone layer

The control of substances or apparatus that deplete the ozone layer complies with international agreements such as the Montreal Protocol and the Vienna Convention.

Ecological issues have been mobilizing the international community and there has been a movement for several decades to adopt measures that preserve the environment and ensure the quality of life on planet earth, highlighting the approval of international treaties.

The National Directorate for the Environment implements the programme on the execution of the timetable established for the elimination of substances that deplete the Ozone Layer, manages the transition phase and proceeds with the competent services to analyze the economic consequences of the implementation of that timetable, so that the proposed objectives are achieved.

a) Vienna convention for the protection of the ozone layer & montreal protocol on substances that deplete the ozone layer

The Vienna Convention for the Protection of the Ozone Layer was ratified by 28 countries in March 1985. It contained promises of cooperation in research and monitoring, sharing information on CFC production and emissions, and approving control protocols if and when necessary.

The Montreal Protocol on Ozone-Destroying Substances is an international agreement that was created under the Vienna Convention for the Protection of the Ozone Layer of 1985 (where countries committed to exchanging information, studying and protecting the ozone layer). A country that signs this protocol aims to reduce the emission of products that cause damage to the ozone layer by replacing substances that prove to be responsible for its destruction.

It is considered one of the most successful environmental agreements, as it was adopted by 197 countries.

The Montreal Protocol sets targets for the elimination

of ozone-depleting substances, known as SDOs, for all parties, respecting the principle of common but differentiated responsibilities.

Goals

The main goal of the Montreal Protocol is the elimination of substances that destroy the ozone layer.

For this, among its objectives were:

- Reduce the emission of CFCs by 80% between 1996 and 1994;
- Developed countries should reduce the use of CFCs by 75% by 2010 and by 99.5% by 2020;
- Reduce levels by 50% between 1986 and 1999;
- Eliminate the manufacture and use of CFCs;
- Full recovery of the ozone layer by 2065;
- Eliminate the manufacture and use of carbon tetrachloride, trichloroean, hydrofluorocarbons, hydrochlorofluocarbons, hydrobromoflurocarbons and methyl bromide.

Prohibition of substances

The production, export, re-export and import of all substances regulated by the Montreal Protocol on substances which deplete the Ozone Layer of 16 September 1987, listed in, of which they are an integral part, shall be prohibited.

Equipment ban

The prohibition provided for in the preceding paragraph covers equipment possessing substances which deplete the ozone layer, listed in the annexes to this diploma, to which it is an integral part.

Follow-up authority

The General Directorate for the Environment through the National Coordination Team follows up the programme on the implementation of the timetable for the elimination of substances that deplete the Ozone Layer, manages the transition phase and proceeds with the competent services to analyze the economic consequences of the implementation of that timetable.

The provisions of the preceding paragraph shall apply to equipment containing those substances.

The General Directorate for Customs shall transmit on a quarterly basis to the General Directorate for the Environment and the General Directorate for Trade the statistics of imports made pursuant to this diploma.

Competence for authorization

It is up to the National Director of the Environment and the Coordinator of the National Ozone Program to defer import requests and fix the annual amount to be imported, communicating this order to the General Directorate of Commerce and the General Directorate of Customs.

Applications shall be addressed to the National Directorate for the Environment accompanied by the information which the concerned party deems relevant for the acceptance of the application and shall contain an indication of the amount they wish to import and the origin of the substances or equipment.

The National Directorate for the Environment may request additional information necessary for the examination of the application.

The validity of the authorization referred to in this Article shall be 3 (three) months.

Stock Management Register

Any importer of substance that impoverishes the Ozone Layer shall register the stock management of these substances and submit quarterly to the National Directorate for the Environment the information on the buyers and the amounts that have been purchased.

Imposition and value of fines

- **1.** Anyone who incurs in misdemeanor is punishable by a fine ranging from:

  - **a.** 10,000$00 (ten thousand escudos) to 50,000$00 (fifty thousand escudos), for seizure ranging from 1 kg (one kilo) to 10 kg (ten kilo);

  - **b.** 50,001$00 (fifty thousand and one escudos) to 250,000$00 (two hundred and fifty thousand escudos) for seizure ranging from 10 kg (ten kilo) to 50 kg (fifty kilo); and

  - **c.** $250,001 (two hundred and fifty thousand and one escudos) at $500,000 00 (five hundred thousand escudos) for seizure over 50 kg (fifty kilo).

- **2.** In the event of a recurrence, the minimum and maximum limits on fines are doubled.

Ancillary penalties

The infringer may also incur in import ban from 2 (two) to twelve (12) months, and the National Directorate for the Environment, as the competent authority for inspection and inspection, may also determine the seizure of substances and equipment in accordance with general legislation.

- **II. Species of wild fauna and flora threatened with extinction**

Control of endangered wild fauna and flora species

is governed by Cape Verde's annexation of CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora).

Environmental issues have been mobilizing the international community and there has been a movement for several decades to adopt measures that preserve the species and guarantee the quality of life on the planet earth, highlighting the approval of international treaties.

The National Directorate of the Environment shall follow as the administrative authority competent to regulate this Convention in accordance with the terms defined by the Convention on International Trade in Endangered Species of Wild Fauna and Flora approved by Decree No. 1/2005 of 21 March and ratified on 18 January 2006.

How to know if a license to import or export wildlife specimens is needed?

The import, export and re-export of any live animal or plant of a species listed in CITES appendices (or any part or derivative of such animal or plant) requires a license or certificate. To find out if a species is listed in the Appendices, the cites-listed species database can be verified using the scientific name or common name of the species. Alternatively, it can also be checked in the National Environment Directorate if the species of interest needs a license.

- **a)** CITES

The Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) is an international agreement between governments to effectively regulate trade in fauna and flora species, preventing them from extinction, when the threat is international trade. To this end, it attributes its part in common responsibility to producer and consumer countries and establishes mechanisms necessary to ensure the non-harmful exploitation of populations.

As trade in wild animals and plants crosses borders between countries, the effort to re-program it requires international cooperation to protect certain species from over-exploitation. CITES was conceived in the spirit of this cooperation. Today, it grants various degrees of protection to about 38,700 species - including about 5,950 species of animals and 32,800 species of plants, whether they are marketed as living specimens, fur coats or dried herbs.

Cape Verde approved by Decree No. 1/2005 of 21 March its adoption to the Convention on International Trade in Endangered Species of Wild Fauna and Flora and ratified it on 18 January 2006;

How CITES works

CITES works by subjecting international trade in specimens of selected species to certain controls. All imports, exports, re-exportand introduction of species covered by the Convention shall be authorised through a licensing system. Each Party to the Convention shall designate one or more Managing Authorities in charge of administering such licensing system and one or more Scientific Authorities to advise them on the effects of trade on the status of the species.

6.1.9 Car registration process

The registration process of imported vehicles is carried out by the General Directorate of Road Transport - DGTR, upon delivery of the following documents:

- Application for inspection and registration (model 2);
- Car dispatch document (model 10);
- Catalogue;
- Initial and original booklet (in the case of vehicles already registered in another country);

Based on the documents submitted, the inspector designated by DGTR makes the physical inspection of vehicles for the purpose of assigning the registration number and depending on the conformity of the vehicle data contained in the models, the process is approved or not. If approved, it is entered into the DGTR database and a registration is generated. The DUC is then extracted for the purpose of payment of the respective fee.

After payment, the owner is given a copy of model 10 for clearance purposes and two copies of model 2, one for clearance purposes and another as a provisional booklet.

Costs[3]	
Technical inspections	**Rates**
Heavy vehicles	5.050 shields
Light vehicles	4.050 shields
Motorcycles	2.650 shields
2nd way of the process	1.250 shields
Changing the owner's name	1.250 shields
Survey in the warehouses of the concessionaire	1.000 shields

3 - Law Decree No. 8/2012 of February 29 (legal basis for collection of such fees)

6.1.10 Weapons and Ammunition

Who can import weapons and ammunition
Firearms and ammunition not prohibited under the law may be imported by:

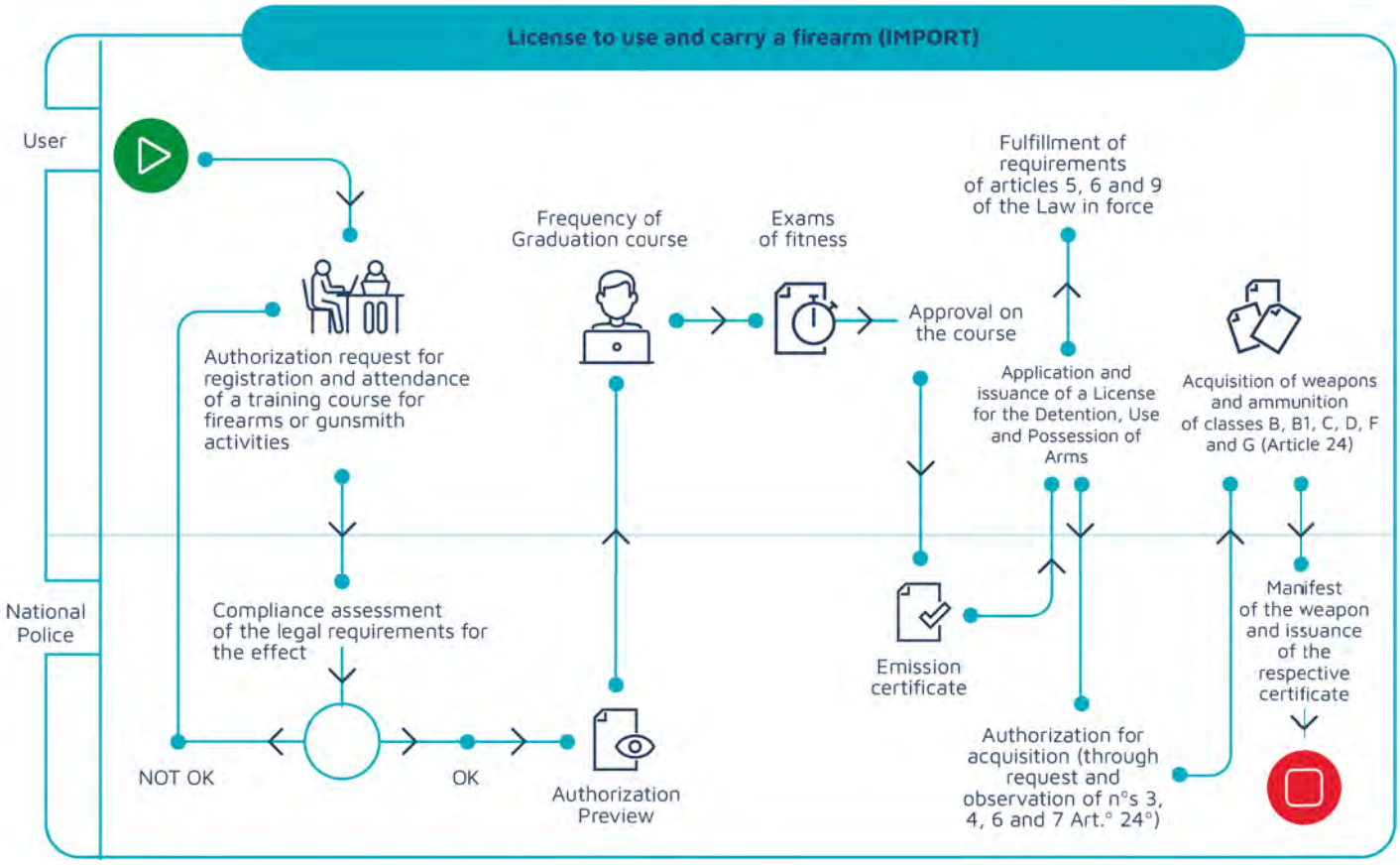
- **a.** The State, through the National Directorate of the National Police;
- **b.** Commercial establishments and license holders for the trade in arms with registered capital of not less than US$5,000,000 (five million escudos) when authorized for this purpose by the National Directorate of The National Police.
- **c.** Individuals, holders of licenses for venatory or fishing practice and other sports, may import weapons and ammunition intended for their activity, with the prior authorization of the National Director of the National Police.

License for arms and ammunition trade

- The trade in arms and ammunition as well as any replicas capable of misleading their authenticity, is only permitted in establishments specifically licensed for this purpose, observing the legal regime on administrative licensing for trade.
- The license is entitled by document issued by the National Director of the National Police. Licensing shall take into account the risks to public safety, personality and suitability of those responsible for the management of the establishment and its owners.
- The issuance of the license presupposes the provision, in favor of the State, of security or bank guarantee, to be fixed by order of the National Director of the National Police, in a value not less than 5,000,000$00 (five million escudos).
- The licence is granted for a period of five years, renewable, and its renewal is subject to the verification of the conditions required for its grant.

Requirements for granting the licence

- Their managers and administrators meet the requirements referred to in points a) to f) of article 9 of Law No. 31/VIII/2013.
- Be the company with the certificate of approval for the exercise of trade activity in the field of weapons and ammunition;
- Own the commercial establishment facilities under security conditions, certified by the National Directorate of the National Police.



6.1.11 Marketing Authorisation for Pharmaceutical products

The introduction and marketing of any medicinal product on the domestic market, whether manufactured in the country or imported, requires the prior authorization granted by the Independent Health Regulatory Authority (ERIS).

The Marketing Authorization (AIM) is regulated by the legal provisions set out in the legislation table.

AIM Procedures		
Complete procedures	Standards and documents	Article 4 to Article 23 of Decree-Law No. 59/2006 of December 26
		Resolution No. 06/2016 of May 6, which approves the AIM Regulation for medicinal products for human use by complete process
	Structure of the AIM application dossier	Guidelines from the International Conference on Harmonization of Technical Requirements for Registration of Pharmaceuticals for Human Use
Recognition of the AIM granted by another State	AIM is granted by recognition of the AIM issued in the State of reference, pursuant to Article 24 of Decree-Law No. 59/2006 of December 26, and Resolution No. 03/2019, of September 3	

Submission of AIM requests | Validity and renewal | Expiry

AIM requests, AIM Renewal as well as changes to the terms of the AIM must be submitted in digital media via the e-mail provided by the Independent Health Regulatory Authority for this purpose - aim@eris.cv, and may additionally be submitted in paper form directly in the ERIS service or by post, to the ERIS address.

Validity, Renewal and Expiry

Submission of AIM applications	AIM requests, AIM renewal as well as changes to AIM terms must be submitted on digital media via email aim@eris.cv and /or in paper form directly at ERIS office or by post office
Initial request	5 years, renewable for an indefinite period (except exceptions)
Renewal	Request up to 90 days before expiry The AIM holder shall place the medicinal product on the market within 12 (twelve) months, except in duly justified cases.
Expiry	The request for an extension of the marketing period shall be made by means of an application to the Chair of the Board of Directors of ERIS, with the due justification and with the supporting evidence annexed. The period may be extended up to twice, for the same periods of 12 months. Make a request for changes to the terms of the AIM or new authorisation where there are changes to the medicinal product, or where changes are made to the AIM in the country used as a reference for the application for recognition of AIM.
Obligations of the AIM holder	Communicate to the Independent Health Regulatory Authority (ERIS) the problems related to the medicine of which they are AIM holders. Communicate to ERIS the decisions to suspend and withdraw the medicinal product from the market in other States where the medicinal product is authorized. Comply with the drug-surveillance obligations laid down in the legal framework in force.

Associated costs and payment methods	
Type of procedure	**Rate (ECV)**
AIM Application for Pharmaceutical Specialty	60.000
Generic Medicine AIM Application	25.000
Application for Renewal of Pharmaceutical Specialty AIM	30.000
Request for Amendment to the Terms of Pharmaceutical Specialty AIM	30.000
Application for Renewal of Generic Medicine AIM	10.000
Request for Amendment to the Terms of Generic Medicinal Product AIM	10.000

NOTE: For the purpose of Ordering AIM, fees must be paid for each drug, i.e. "Drug Name + DCI + Pharmaceutical Form + Dosage", regardless of whether different dosages and pharmaceutical forms are grouped into one order.

Deadlines

ERIS' response time for each type of Marketing Authorization (AIM) procedure is pre-defined by law as indicated below. The period shall be suspended where, without the complete procedure, the applicant is notified to remedy the deficiencies or to provide additional information or clarification.

Procedure	Deadline for reply
Full AIM request	180 days
Application for IMA by recognition	90 days
Request for Changes to AIM Terms	120 days
Renewal of AIM	120 days

Supporting documentation and other information

To access all forms and other supporting documents for the application for Marketing Drug Authorization, as well as more relevant information, please refer to the Website of the Independent Health Regulatory Committee.

6.1.12 Special Import of Medicines

The importation of medicines not marketed in the country is a tool framed in the Special Import regime that does not require an Authorization of Marketing - AIM, on condition that, through clinical justification, the drugs are classified as essential for the treatment / diagnosis of certain pathologies, or are intended exclusively for research and clinical trials.

Thus, two IEM procedures have been established, namely:

- The **Simplified Special Import Procedure (PSIE)**, which implies direct acquisition in pharmacies;

- The simplified application for special import must be instructed with the following elements:

  - **a)** Medical declaration, applicable to the initial application;
  - **b)** Medical prescription;
  - **c)** User ID.

- The **Special Import Procedure (PIE)** must require the submission of an application for authorization to the Regulatory Authority that involves the acquisition upon request of a Certificate of Authorization for the Import of Medicinal Products (CAI) to ERIS.

- The initial application for special import, which is valid for six months, must be instructed with the following elements[4]:

  - **a)** Application;
  - **b)** Medical declaration;
  - **c)** Medical prescription;
  - **d)** Copy of user ID and;
  - **e)** Copy of the applicant's ID, in cases of impossibility of request by the user/patient.

- The renewal, for the same period of six months, procedure that begins with the end of the initial period, must be instructed with the following elements[5]:

  - **a)** Application;
  - **b)** Updated medical prescription;
  - **c)** Copy of user ID; and
  - **d)** Copy of the applicant's ID, in cases of impossibility of request by the user.

The request for special importation of medicinal products may be made by the user/patient himself or in case of impossibility by an applicant on behalf of the user.

[4]Models:https://www.eris.cv/index.php/iem/40-procedimento-simplificado-de-importacao-especial

[5]Models:https://www.eris.cv/index.php/iem/40-procedimento-simplificado-de-importacao-especial

6.1.13 Cosmetic Products

The manufacture, import and placing on the market of cosmetic products under own name and/or trade mark requires prior communication of activities and registration of products.

To simplify the procedures for communicating activities and registering cosmetic products, the Independent Health Regulatory Authority provides a set of instructions to operators as well as the applicable forms.

Communication of activities

The activity communication process shall be submitted by email to cosmeticos@eris.cv, respecting the following structure and format:

- Company-named folder

  - Activity communication form (pdf format)
  - TR's responsible term (pdf format)
  - TR ID (jpg format)
  - TR CVITAE (pdf format)
  - Factory or import license (pdf format)
  - Other relevant documents (pdf format)

The following address contains more important information for the activity communication process - Instructions - Activity Communication

Registration of cosmetic products

In Cape Verde, all entities that make the first availability on the market of cosmetic products (manufacturers and importers) must, register with the Independent Health Regulatory Authority (ERIS).

To this end, the Responsible Person must complete the Application Form for Registration of Cosmetic Products and Declaration of Conformity. In addition to that form and declaration of conformity, the registration process should be instructed with the following elements:

- A photograph of the original packaging of the product or labelling proposal;

- A proposal to translate the essential information (product functions, nominal content, shelf life and/or special precautions for use) if they are not available in Portuguese.

The following address contains more important information for the cosmetic product registration process - Instructions - Cosmetic Products Registration.

Consultation of data on prohibited substances and Ingredients

In order to ensure the highest level of consumer safety

and the harmonisation of national procedures with international references on the regulation of cosmetic products, **the Independent Health Regulatory Authority (ERIS)**, in accordance with its statutes, approved the new Regulation on the Composition of Cosmetic Products, through Resolution No. 02/2019 , of the Board of Directors, published in B. O. no. 124, II Series of, of September 3.

6.1.14 Hospital equipment and products

For the purpose of importing hospital equipment, the following products are eligible:

- New and modern **equipment and machines**, their accessories and maintenance parts, tools and software, when carried out by the Health structures, which will contribute to improving the response capacity in terms of diagnosis and therapy in the country;
- **Medical devices** and their accessories, which will contribute to improving the response capacity in terms of diagnosis and therapy in the country; and
- **Specialized medical transport vehicles**, namely ambulances.

Application

It applies to all requests for customs exemption received at the Management and Maintenance Service of Health Infrastructure and Equipment (SGMIES) of the government department, both from health care structures, as well as from companies supplying Medical Devices.

Procedures

- **a) Entry of requests for Customs Duty Exemptions**
  - **a.** Letter or Email addressed to SGMIES;
  - **b.** Medical Device Invoice to be withdrawn from customs;
  - **c.** CE or FDA-marked certificates and stability/ safety test certificates;
  - **d.** In case of private structures a copy of the license.
  - **e.** Commercial registration of the company

Note: All requests from National Health structures and/ or medical device import companies that enter the reception of the Ministry of Health must be sent by e-mail (parecer.tecnico@ms.gov.cv)

- **b) Analysis and technical advice**
  - **a.** If medical devices are equipment or accesso ries, CE/FDA markings are performed on certifi cates of conformity;
  - **b.** In case of consumables / reagents, verification is done on the certificates of clinical stability trials.

6.2 Logistics and Transportation

6.2.1 Air transport

The managing entity of airports is the entity responsible for the reception, storage and delivery of imported cargo.

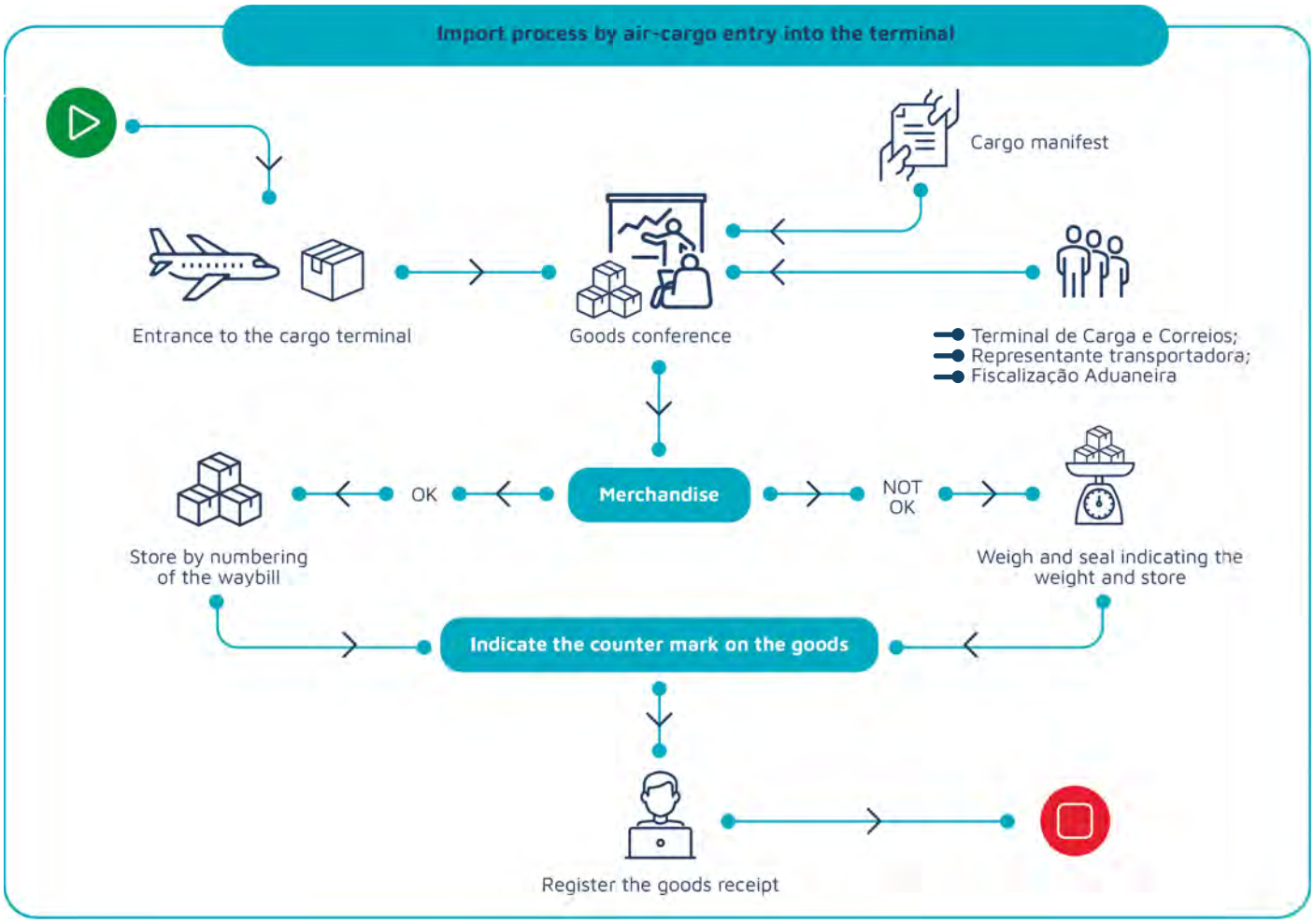
Description of procedures

The following procedures are for the airway import process:

- Cargo Terminal Entry: Reception, Conference, Storage and Registration

The imported cargo is delivered to the warehouse door by joint conference with Customs, Tax Guard and CV Handling. The conference consists of the crossing of the data contained in the cargo manifest and the respective load delivered. Additionally, the physical integrity of the load received is also conferred.

Steps	Activity	Support	Responsibility
1	Merchandise Conference	Cargo manifest	Cargo and Post Terminal, Transport Representative, Customs Inspection
2	Merchandise ok? Store by numbering the waybill		Cargo and Post Office Terminal
3	Anomaly? Weigh and seal indicating weight and store		Cargo and Post Terminal, Transport Representative, Customs Inspection
4	Indicate in the goods the countermark		Cargo and Post Office Terminal
5	Entry of goods registration	PHC	Cargo and Post Office Terminal



- **Departure from cargo terminal** (after customs dispatch): Conference, Documentation, Billing, Receipt and Delivery

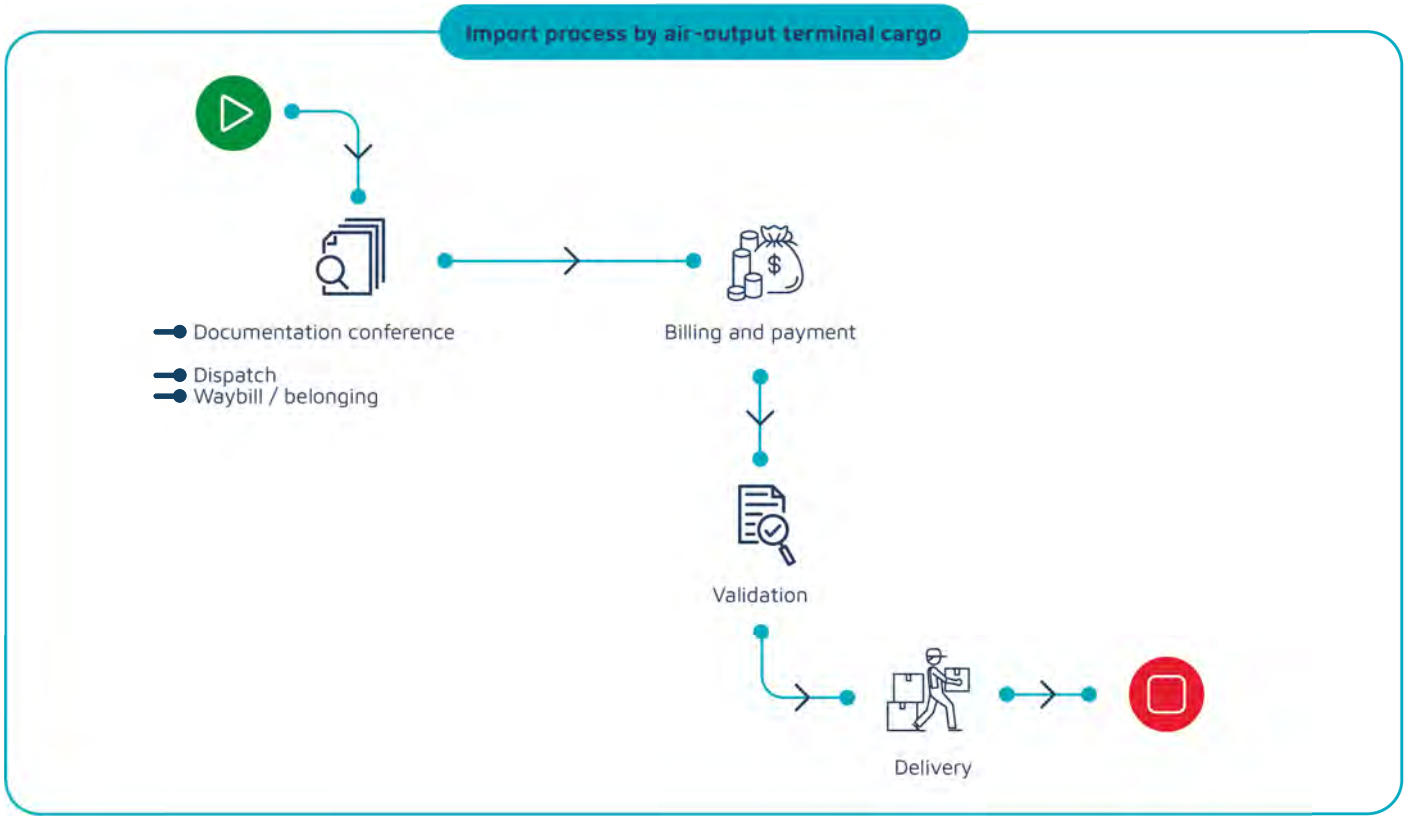
The cargo is delivered to the importer, after inspection of customs / Tax Guard and counter-delivery of the proof of dispatch.

Steps	Activity	Support	Responsibility
1	Documentation conference	Dispatch, waybill/ belongs	Cargo and Post Office Terminal
2	Billing and payment	Dispatch, waybill/ belongs	Cargo and Post Office Terminal
3	Validation and delivery	Dispatch, waybill/ belongs and receipt	Customs Inspection

Documentation

Documentation required for cargo lifting at the Cargo Terminal:

- Cargo Manifest;
- Dispatch;
- Waybill/ Belongs;
- Invoice/Receipt ASA.



Costs and Fees

- Fees applied for loading and unloading cargo

Charge rate	Value (CVE)
Utilization rate	
Per Kg of cargo shipped	1$00
By Kg of cargo landed and separated from luggage	2$00
Storage	
For the first 3 business days	Free of payment
Temporary Deposit (up to 30 days)	
Normal and in transit	3$00 x Weight x Days
Minimum per consignment (50Kg)	150$00
Special	
Refrigerate	8$00 x Weight x Days
Minimum per consignment (30kg)	210$00
Jewelry/coin/precious metals	
Minimum per consignment (5kg)	1700$00
Exceeding 5kg (per kg)	500$00
Other	
Dirty/Harmful/Live Animals	5$00
Minimum per consignment	200$00
Handling	
Handling	4$ x Weight

6.2.2 Maritime transportation

6.2.2.1 Agencies / Freight Forwarders

The maritime agencies are the shipowner's commandors in each port. Agents are responsible for circulating essential information between all parties involved in maritime transport, such as the shipowner, operator, port authorities and customs brokers.

They are a connection between the ship and the ports, providing the authorities with all the necessary data for the procedure of both arrival at the port and mooring of the ship and for the release of the vessel, cargo and crew.

Import procedures

- **1.** Sending a notice of pre-arrival to operator announcing the ETA (Estimated Time of Arrival) of the ship as well as the countermark of the ship to facilitate the dispatch process, and if requested by the operator, a copy of the BL only for dispatch purposes;

Note: The countermark is the registration of the ship assigned by the Sydonia system after the arrival notice was created in the JUP.

- **2.** Granted to the agency all documentation (Manifestos, Invoice Freight, Cargo, BL and Commercial Invoice) referring to cargo on board the ship by **the Shipowner**, which will serve as the basis for the reproduction of the electronic manifest as well as the physical delivery of the same to the following entities – Customs, ENAPOR, Judiciary Police and Fiscal Guard;

- **3.** Issuing a notification to operators with the invoice for shipment for the proper processing of its payment;

- **4.** After the ship departure, at the last port before scale at destination port, the agency shall receive the final discharge forecast containing all units (containerised and conventional) on board the ship for assistance in the XML insertion process;

Note: XML is extracted directly from the system and inserted into JUP and SYDONIA, 3 days before the ship arrives; save exceptional case.

- **5.** Issuance of a communication to operator, via e-mail, that the XML, from the ports of origin, is already submitted in the customs and ENAPOR systems (being the operator able, then, to expedite the dispatch process and / or issue it);

- **6.** Extraction of all BL's with the proper release authorization, given by the agent of origin, (those who are not released, will be requested their verification by the personnel in charge) and the same will be validated (stamped and signed);

Note: In relation to the payment of the invoice, the operator has the option of squaring it by bank transfer by sending the proof of payment, or in person, with Vinti4, cash in the agency's office.

- **7.** Communication to operators for the lifting of BL's;

Note: In relation to the payment of the invoice, the customer has the option of squaring it by bank transfer by sending the proof of payment, or in person, with Vinti4, cash in the agency's office.

BL extension

For the extension of the BL, depending on each type of equipment, there's a different deadline, which is called free time, to be lifted / sows, passing this time, the extension of the date, from the end of the free time until the date on which you intend to pick up the merchandise, must be requested.

6.2.2.2 Port concessionaire

Port logistics plays a fundamental role in the development of transport and its integration internationally. Maritime transport is responsible for the mass movement of cargo to and from both national and international origin.

The port concessionaire uses the JUP (Single Port Window) as the electronic one-stop platform in which the information regarding the arrival and departure of ships is inserted. The platform also allows the management of all necessary documentation in the port logistics process between public entities, port operators and representatives of ships and goods free of charge.

JUP, following the concept of interoperability, provides that the Shipping Agents, Border Authority, Tax and Customs Authority, Maritime Authority, Port Terminals, Service Providers and Sanitary Authority may intervene.

- **I. Logistics and Maritime Transport**

Cape Verde's ports are oriented towards integrated management of the entire logistics and maritime business chain, taking into account the simplification

of processes in their different fields: production, transport, storage, distribution and other value-added services.

Arrival notice record

Navigation agents record in the JUP system the activities related to the arrival of ships providing ETA (Estimated Time of Arrival),the main characteristics of ships and cargo, passenger and crew-related elements. The output provides elements such as Estimated Time of Departure (ETD) and service requests. They basically insert the manifests of Long Course and Cabotage, list of crew members, passengers among others.

The other authorities involved, including border, health and phytosanitary services, through the information and requests of shipping agents, register in the JUP the authorizations for the entry, exit and operations of ships in ports, as well as maritime health declaration, waste declaration, ISPS, Hazmat, bond stores and more.

After registration of the arrival notice at the JUP, the Customs System (Sydonia World) receives a notification and automatically generates a countermark. This is automatically sent to the JUP system.

Performing tasks

Navigation agents request a set of services on the JUP platform:

- Maneuver;
- Trailer;
- Speedboat;
- Piloting;
- Stower;
- Equipment rental;
- On-board inspection;
- Miscellaneous supply/supply, water, electricity;
- Weighing service;
- Goods collection service;
- Consolidation/Deconsolidation of containers;
- General Authorizations

Documentation required in ports for the act of importation

The Regulation on the operation of Cape Verde ports published through regulatory decree no. 21/2013 of November 14 in Article 41 (Documentation) establishes.

The representative of the vessel requesting the ports of the country in commercial operations shall deliver the following documents to the offices of the port administration or the port operator.

- **a) Registration of entries** delivered upon arrival at the port;
- **b) List of crew members;**
- **c) Passenger list;**
- **d) Baggage claim; Copy of the cargo manifest, duly cubiced;**
- **e) Ship cargo plan -** detailed stowed plan of the ship, indicated by species and cargo holds, brand, weight and dimensions;
- **f) Copy of the dangerous cargo manifest;** and
- **g) Copy of the ship's discharge sheets or similar document -** delivered to the port administration or to the port operator shortly after the unloading operation;

Note: For ships in long-haul traffic, the documents referred to in points (c) to (g) are signed by the representative of the ship and delivered at least 48 (forty eight) hours before arrival at the port.

All documentation will be inserted in the JUP platform in order to use a single point where information can be obtained and the necessary procedures for the entry and exit of ships according to Law Decree No. 19/2016 of March 18.

Costs

Table with the costs in the import or export of containers, vehicles, sacks, iron and the like

Designation	TP-C (Port Tariff Applied to Cargo)	TTEM (Traffic And Goods Stowerfare)	Total
1. Containers (Units)			
20' full container (Import)	8.000$00	21.500$00	29.500$00
40' full container (Import)	8.000$00	34.000$00	42.000$00
2. Vehicle (Unit)			
Light (Indirect)	4.000$00	5.900$00	9.900$00
Others (Indirect)	8.000$00	13.000$00	21.000$00

Fish handling tariffs

	Embarkation	Disembarkation	Transhipment
Bulk fish/Ton	3.074$00	3.074$00	3.084$00
Fish in boxes/Ton	1.529$00	1.529$00	210$00

Note: bulk fish unloaded from fishing vessels and immediately placed in containers for later shipment will pay a one-time fee of $69,512 per 20' container and $108,249 per 40' container.

Note: To access the other costs associated with port services, see the tables in the Topic Other Costs

6.3 Customs Procedures

Every country has on its borders an agency that controls and supervises the international flow of goods, merchandises and vehicles. This body is called Customs and is an indispensable entity for national security and fair trade.

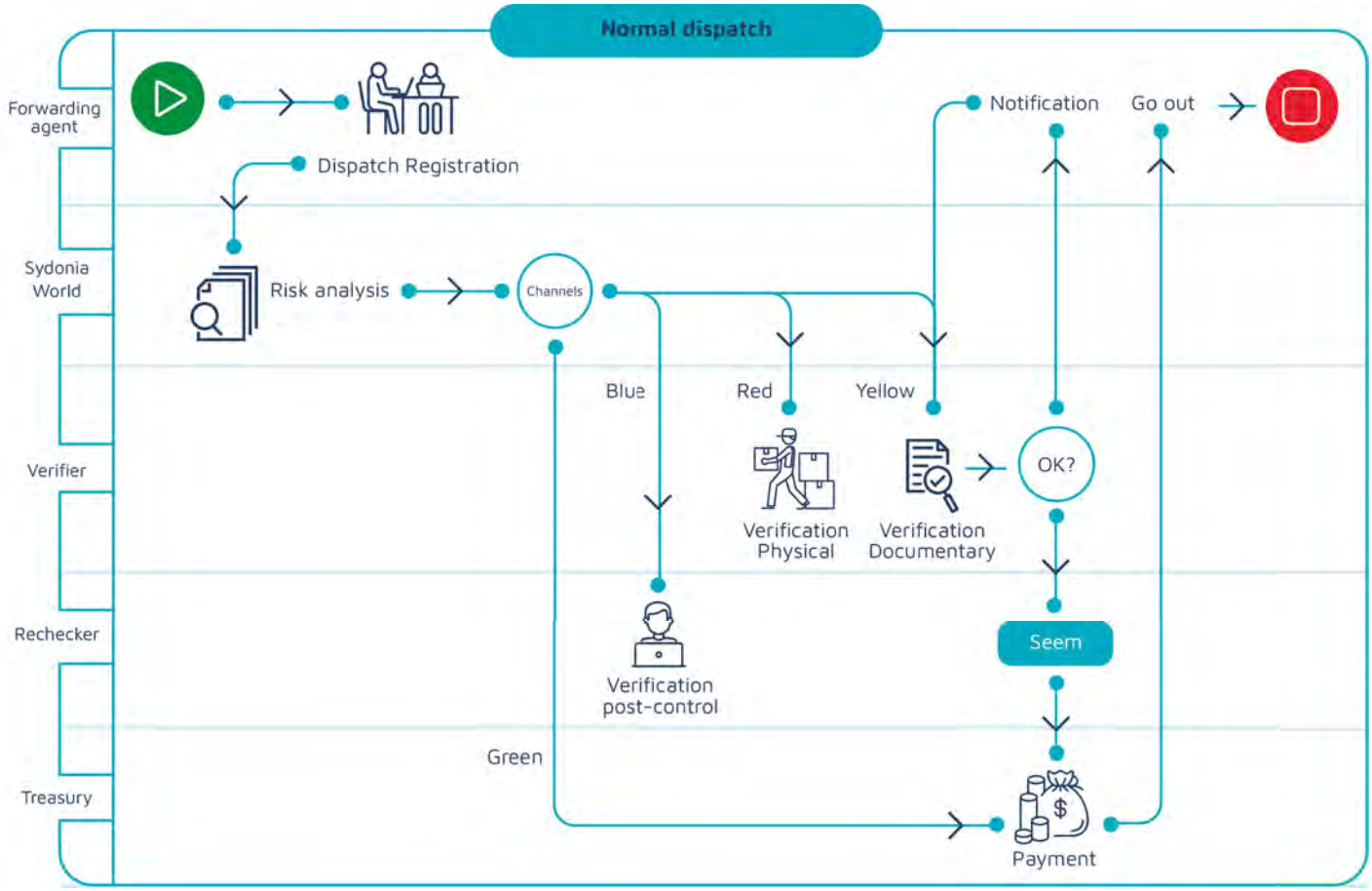
By allowing only what is permitted by law to enter the country, the General Directorate of Customs (DGA) both guarantees security and allows the fluidity of foreign trade.

In the customs clearance process the DGA uses the **Sydonia World system** which was established with the intention of leading to the dematerialisation of customs procedures and the reduction of time and costs. This system, in addition to the process being faster, also allows operators to do the online monitoring of dossiers in Customs, which provides greater security and transparency of procedures and reduces costs related to travel, purchase of forms, storage expenses, redundancy of some formalities among others.

6.3.1 Customs Dispatch - General Procedure

The following flow provides the description of the dispatch application process. All dispatch goes through the process of risk analysis for better balance between speed, security and customs control.

The process flow follows:



1. Customs Dispatch Register - Essential Documents

The registration of the dispatch can be made by a broker or by the importer himself, through the Sydonia World platform by submitting the following documents, which vary according to the goods to be imported:

- Commercial invoice;
- Freight invoice;
- BL or waybill, boat and plane, respectively;
- Certificate of origin;
- Sanitary/phytosanitary certificate/zoo sanitary (country of origin and destination);
- Booklet, models 2 and 10 in the case of vehicles;
- Title of ownership;
- TEC;
- Packing List;
- Cargo manifest.

The system automatically makes a risk analysis of the process, according to the data that has been entered to it.

On this basis, the process is sent to one of the channels, according to the analysis made.

- **Green Channel** – The import selected for this channel is automatically untangled without any verification. It does not require the documentary examination, the verification of the goods, and can later be analyzed to verify that it is complying with all the formalities.

- **Blue Channel** – The dispatcher can make the payment immediately and afterwards a verifying control can be made by the official indicated for this purpose.

- **Yellow Channel** – The merchandise that is directed to this channel requires that a documentary

examination of the verification and an opinion of the rechecker be made (one of these phases may be eliminated).

- **Red Channel** – In the case of selection for the red channel, it is required in addition to the documentary conference, the physical verification of the merchandise, in order to be able to confirm the objective to which it was taken to that channel.

The dispatcher makes the payment of the following services:

- **a.** Import duties and other taxes charged to Customs to be colected;
- **b.** Expenses related to port services (ENAPOR);

After payment in the treasury of the fees and other duties due, the dispatcher prints the "can leave" in the Sydonia system and the JUP system and the confirmation of this process is the delivery of the goods by conference by the tax guard.

2. Costs - Transactional value

Briefly, the transactional value of a commodity is determined by:

Transactional amount = = (Price paid or payable)[6] + adjustments[7]

For the purpose of determining the customs value, when it is not possible to determine the customs value at the transactional value, the following bases are followed:

1. Transaction value of identical goods (Art. 269 of the CA)

2. Transaction value of similar goods (Art. 272 of the CA)

3. Value determined by the deductive method (Art. 275 of the CA)

4. Calculated value (Art. 277 of the CA)

5. Method of last resort (Art. 278 of the CA)

Note: Customs code online, value determination topic

[6] Price paid or payable (art. 1 of the agreement to apply Art. VII of GATT / art. 260 of the CA)

[7] Adjustments (Art. 8 GATT / 262 and/or 263 conjugated with Art. 264 of the CA)o art.º 264º do CA)

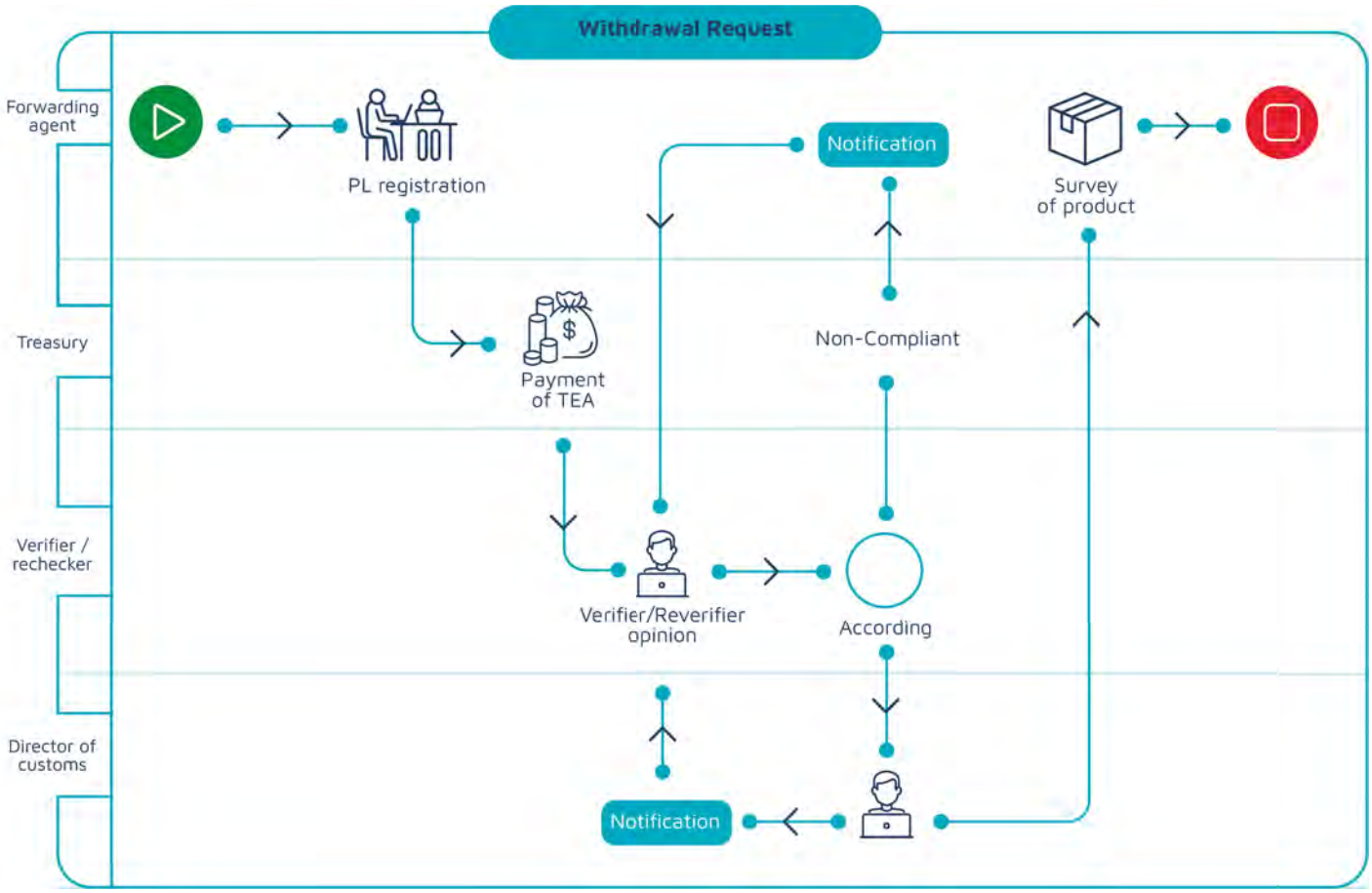
6.3.2 Pick up Request

The pick up request is usually made before the arrival of the ship to the port and under warranty. This applies to perishable goods, medicinal products, live animals, other goods given their urgency and others which by their nature may hinder the proper functioning of port facilities. The order must be regularized within five working days after the goods have been picked up. Requests for withdrawal in respect of goods that have remained for more than 8 days, after unloading, in warehouses or port premises, are not accepted.

The request is registered in Sydonia World, submitting all necessary documents, as mentioned in point 6.3.1 1. Registration of customs clearance – essential documents. The director of the office or customs delegation shall accept or not the request for a pick up request to follow up the procedure. If the request is accepted, the guide relating to the application shall be paid in the treasury of the respective customs office. Immediately after payment, the procedure shall be instantly available for the opinion of the technician and the director of the office or customs delegation.

After verification, the technician issues his opinion. Being negative, depending on the irregularity, the process can be returned to the dispatcher for its rectification.

The flow of the pick up request process follows:



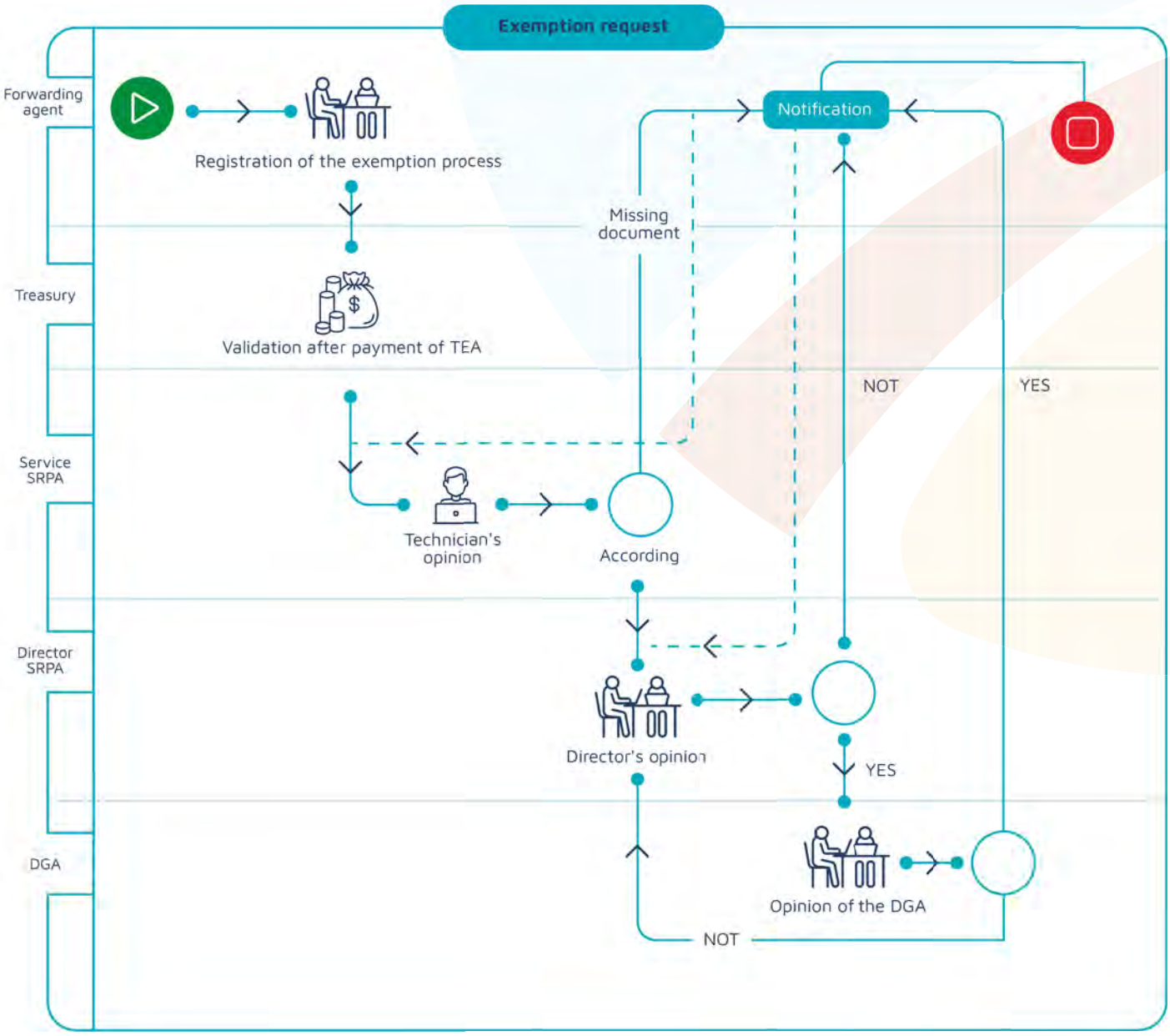
6.3.3 Application for Exemption

The Customs code lists the cases and conditions under which the owners or consignees of certain goods which are imported may benefit from partial or total exemption from duties and other customs impositions.

The dispatcher completes the request for exemption according to the legislation on which it is supported and prepares all supporting documents to register in the system and waits for the payment process of TEA (Customs Statistical Fee).
In the treasury of the respective customs office, the dispatcher makes the payment of the TEA concerning guide in relation to his application. After payment the process is immediately available for a first technical opinion.

The technician of the Customs Procedures and Regime Service (SRPA), to whom the application has been indicated, reviews the process and issues its opinion. If there is any fault in the process, it is returned to the dispatcher to make the necessary corrections. Otherwise, the process goes to the Director of the SRPA for decision.

The Director of the SRPA before deciding may request further information on the question proposed to him for consideration and decision, and in this case may indicate to the declarant in a specific way those elements. The process then goes to the DGA for decision, if negative it is up to the operator to apply for an appeal to the hierarchical superior.


Exemption request
Forwarding agent
Registration of the exemption process
Notification
Missing document
Treasury
Validation after payment of TEA
NOT
YES
Service SRPA
Technician's opinion
According
Director SRPA
Director's opinion
YES
DGA
Opinion of the DGA
NOT

6.3.4 National Transit

The customs regime to which goods transported, under customs control, from one customs office to another are subject, both situated in the national customs territory or in this and a foreign customs territory, free entitleing duties and other taxes and without subjecting to trade policy measures;

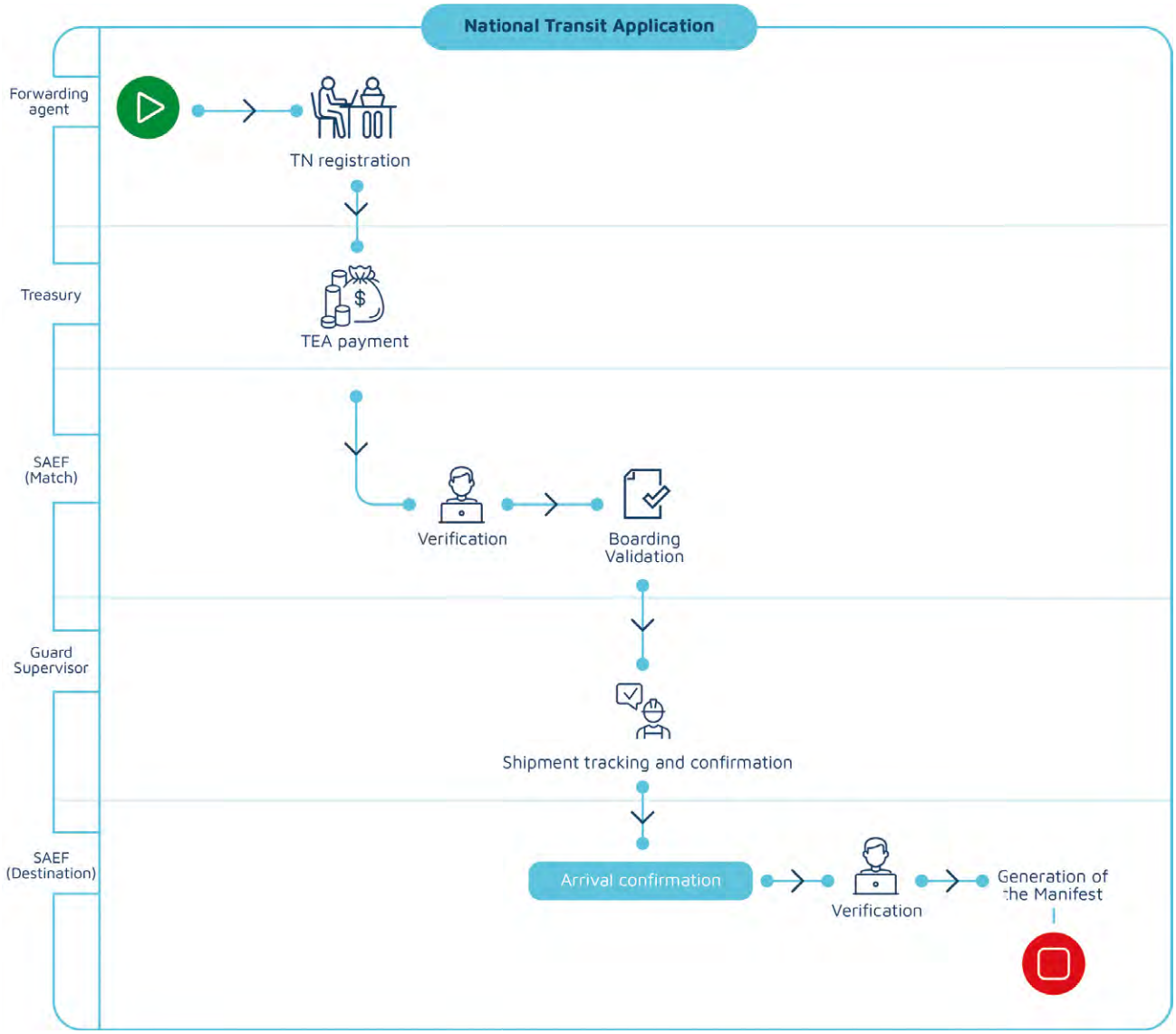
The request is made by the declarant and registered at the customs office of departure. This system allows the goods to be transported from one customs office to another, with suspension of duties and other customs impositions.

The declarant registers the request with the support of all necessary documents. The process remains awaiting payment of TEA (Customs Statistical Fee).
In the treasury, the dispatcher makes the payment of the guide and TEA. Therefore, the process is available for análysis in the Warehouses, Depots and Inspection Services (SAEF) of departure.

The SAEF technician at the office of departure makes a documentary check of the goods in transit and validates the national transit. Then, the tax guard accompanies the goods until its shipment (sea or air) or its loading by the vehicle in case of road traffic, and confirms it.

At the destination's customs office, the responsible technician confirms the arrival and performs a subsequent check. After the choice of dispatch modality the continuation of the process for the clearance of the goods takes place, and the reference of the National Transit is the preceding title that should be included in the new declaration.

Follows the flow of the process.



Export

The Export comprises:

- **a)** Goods produced in Cape Verde
- **b)** Nationalised goods, i.e. imported goods, made available to importers after they have been settled for any rights which are liable to or have received the processing, repair or supplement of labour on account of which they had been temporarily exempted.
- **c)** National and nationalized goods destined to foreign navigation.

Excluded from these clearances are:

- **a)** Goods temporarily departed
- **b)** Goods returned as a result of a temporary import, i.e. those re-exported
- **c)** National and nationalized goods destined to national navigation

7.1 Administrative Procedures

7.1.1 Commercial Licensing for Export

Who can export:

Exports shall be granted to any economic operator holding an export licence. In order to carry out licensing as an exporter, the operator must present the following documents to the Chambers of Commerce:

Of the company

- Certificate Commercial Registration of the Company (updated);
- Contract for the constitution of the company (including statutes);
- Declaration of start of activity in DGCI - Model 110 (for company less than one year from start of activities);
- Statement of Finance Proving the Tax Situation (for companies with more than one year from start of activities).

From the manager

- Identification documents of the partners (National - BI or Passport and Foreign - Passport);
- Certificate of Literary Qualifications or equivalent documents;
- Criminal Record Certificate;
- Power of Attorney (if requested by a third person);
- Residence card or type of visa in case the manager is a foreigner;
- Declaration by the applicant that he is civilly capable and is not inhibited from trade (recognized signature);

Cost

- Fixed activity exercise fee - $20,000;

7.1.2 Non-preferred Certificate of Origin

A non-preferential certificate of origin certifies that the country of origin of the goods does not benefit from preferential treatment. The certificate of origin shall contain the seal of the sectoral authority, which shall attest to the operational and administrative information provided by the producer. The entity responsible for issuing a non-preferential certificate of origin shall take all necessary measures to verify the criterion of origin, in accordance with the determination of the applicable legislation. The non-preferential Certificate of Origin model is set out in Annex I to Joint Ordinance No. 5/2017 of February 21.

The competent authority for issuing the non-preferred certificate of origin is the **National Directorate of Industry, Trade and Energy.**

> **The competent authority for issuing the non-preferred certificate of origin is the National Directorate of Industry, Trade and Energy.**

7.1.3 Certificação Sanitária e Fitossanitária para Exportação

The sanitary and phytosanitary certifications, issuance of the international certificate is reserved for the veterinary and phytosanitary administration, **General Directorate of Agriculture, Forestry and Livestock - DGASP and the delegations of the Ministry of Agriculture and Environment - MAA**, namely the delegations of the MAA of São Vicente, Boavista and Sal

while veterinary local authorities with International Border Sanitary and Phytosanitary Inspection Services, with competence in the field of Import/Export, pursuant to Article 3 of the Animal Health Law, Law No. 30/VIII/2013; and Article 3 of the Phytosanitary Law.

The export takes place through the exit doors authorized by the Official Veterinary Services and Plant Protection Services.

Required documents

- Sanitary and/or phytosanitary authorization provided for in the country of destination (IMPORT PERMIT);
- Sanitary and/or phytosanitary inspection according to the destination country, national legislation and sanitary standards of the OIE and CIPV;
- Issuance of an International Certificate (Sanitary or Phytosanitary).

7.1.3.1 Sanitary Certification of Fishery Products

The sanitary certification of fishery products intended for export is one of the duties of the Competent Authority (CA) for fishery products, in accordance with the provisions of Law Decree No. 14/2020 of March 2, 2020. It aims to ensure the conformity of the fishery product exported by Cape Verde, thus promoting the increase of the competitiveness of fish in the international market.

General provisions

- Sanitary certification of all batches proposed for export is mandatory;
- The sanitary certification procedure provides written guarantees on compliance with health requirements, quality assurance, integrity, nature and quantity, in accordance with current legislation and the requirements of importing countries;
- Batches of fishery products intended for export must come from national fishing vessels holding "Sanitary Authorization" but they can also come from ships or foreign countries that will be processed nationally and then exported;
- Fishery products to be certified for export must come from vessels and/or establishments holding an export authorization called the "Health Number" and comply with the provisions of the current national legislation. In addition, they must comply with the requirements of the importing markets;
- Batches must be exported accompanied by an original numbered Sanitary Certificate, which attests to the sanitary conditions of production, handling, processing, storage, packaging and identification of the products.

Procedures for issuing a Sanitary Certificate (CS)

Submission of applications for Sanitary Certification

Applications must be submitted using for this purpose the form "Application For Sanitary Certification for Export" indicated in the model contained in Annex IX of Ordinance 10/2002.

Orders must be forwarded to the CA by the company (holder of health number) where the batch proposed for export was handled, processed or packaged (Art. 32 of Ordinance 10/2002).

The company must submit the Sanitary Certification Request in two ways: The original (for file in the CA) and a copy (proof of delivery).

Applications for Sanitary Certification should enter the CA respecting the following deadlines:

- **Live or fresh products:** at least 48 hours in advance before export
- **Frozen Product:** at least 1 week in advance before export
- **Canned:** at least 1 week in advance before export

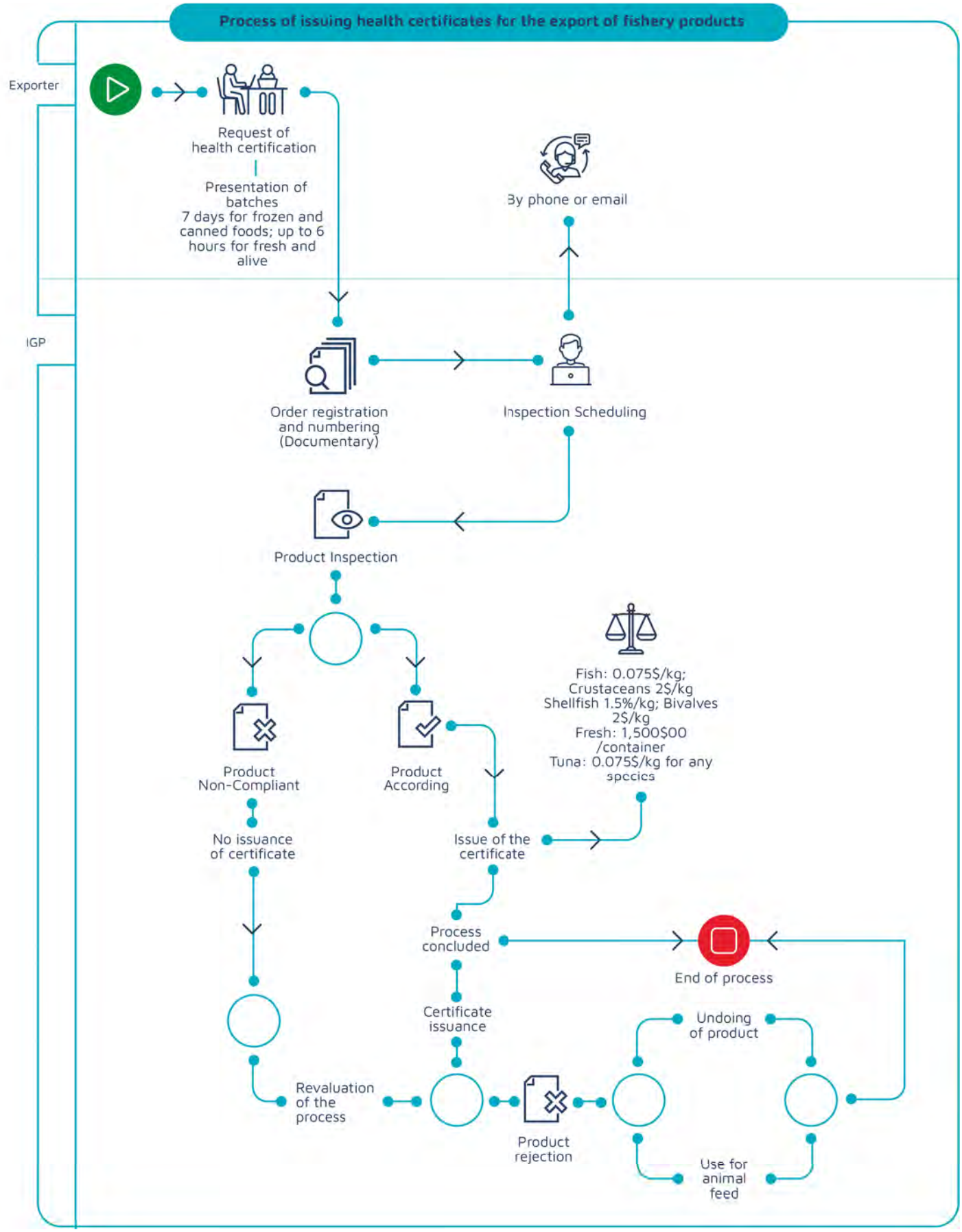
The CA inspects the product at the operator's premises or another place to be agreed.

If the product is compliant, the CA authorizes the export by issuing a Sanitary Export Certificate.

Necessary requirements to obtain the Sanitary Authorization

- Sanitary Authorization for installation/modification of the establishment;
- Health licensing for the operation of the establishment;
- Health number for both vessels and establishments.

The general procedures for sanitary certification are described in the Diagram.


Process of issuing health certificates for the export of fishery products
Exporter
IGP
Request of health certification
Presentation of batches 7 days for frozen and canned foods; up to 6 hours for fresh and alive
By phone or email
Order registration and numbering (Documentary)
Inspection Scheduling
Product Inspection
Fish: 0.075$/kg; Crustaceans 2$/kg Shellfish 1.5%/kg; Bivalves 2$/kg Fresh: 1,500$00 /container Tuna: 0.075$/kg for any species
Product Non-Compliant
Product According
No issuance of certificate
Issue of the certificate
Process concluded
End of process
Certificate issuance
Undoing of product
Revaluation of the process
Product rejection
Use for animal feed

Capture certificate

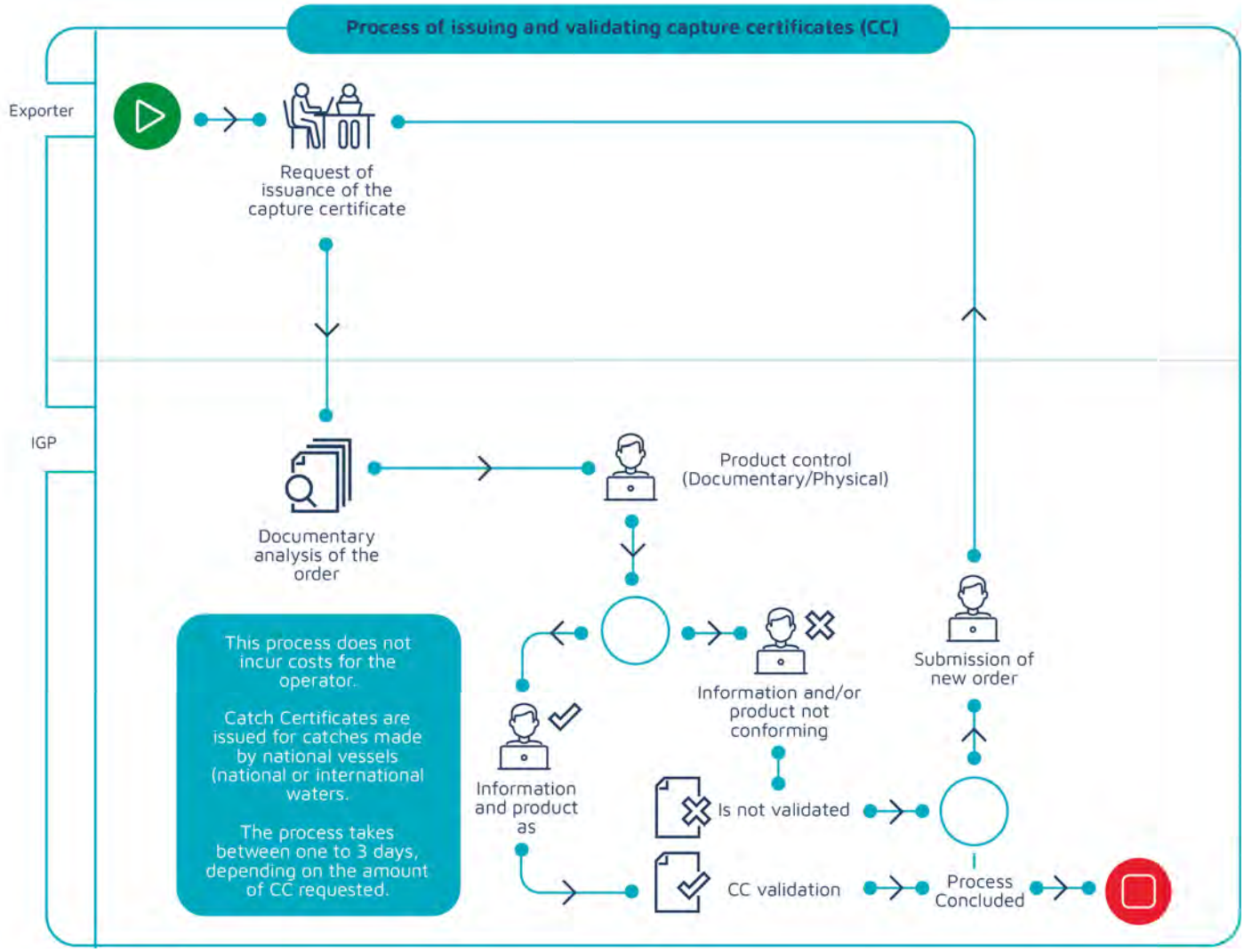
Capture certification is a procedure that ensures that the catch has been carried out in accordance with national and international conservation and management laws, regulations and measures applicable to fishery products to be exported. The certificate contains the information provided by the exporter which shall be validated by the competent authority if it complies. The certification of captures is mandatory for fishery products caught by national vessels in national, third or international waters, landed in national or third country ports for export.

The process of requesting, issuing and validating Capture Certificates is done through an online platform. The exporter requests the CA/IGP to certify catches intended for export. Verified and ensured by CA/IGP, through documentary and physical control of the product, the veracity of the information contained in the Capture Certificate submitted by the exporter through the platform and its compliance with laws, regulations and conservation measures, the CA validates the certificate.

In cases of re-export (movement of fishery products caught by foreign fishing vessels which have been imported by national establishments and destined for a third country from the national territory), the product is accompanied by the original Catch Certificate (issued by the country of origin of the product). In the event that the product has been processed in Cape Verde, the export is accompanied by Annex IV of the Regulation approving the capture certification regime (Ordinance No. 48/2009 of December 14).

Costs

The issue of Capture Certificates does not add costs to exporters;



7.2 Logistics and Transportation

7.2.1 Air transport
7.2.1.1 Managing Entity of Airport Export Terminals

The following procedures are settled for the airway export process:

The dispatcher must contact a client airline company to issue a Waybill and reserve space for the cargo shipment to be boarded, and only then deliver the shipment to the cargo terminal under CV handling.

In possession of the export permit, issued by the Chamber of Commerce, the services of an Official Dispatcher must be hired to deal with matters related to customs services and any current administrative decisions.

At the time of acceptance of operator goods, the CV Handling cargo staff follows mandatory steps of:

- **a)** Verification of preventive safety measures;
- **b)** Verification of compliance with the delivery time of the goods;
- **c)** Verification that the type of goods presented by the operator is acceptable;
- **d)** Verification that dangerous goods and live animals are declared.

As for regulation, each airline company has its regulations that will be applied for each type of cargo, whose knowledge will be given to the exporter at the time of the cargo shipment reservation.

Required forms and documents

The operator who intends to make an export must present the following documents:

- **a)** Export permit;
- **b)** Waybill;
- **c)** Content manifest (when required);
- **d)** Sender's statement;
- **e)** Boarding certificate for live animals;
- **f)** Shipping documentation;
- **g)** Certificate of origin;
- **h)** Invoice;
- **i)** Export authorization.

The sender will have to prepare all export documentation by hiring the services of an Official Dispatcher.

Fees and Cost

No customs fee is paid on export.

The only charges to be borne by the sender are those relating to the official dispatcher's services and customs verification services, which vary depending on the value of the export.

Applicable restrictions or prohibitions

Regarding restrictions, these shall be those imposed by local and international authorities, in particular ICAO, AAC, IATA and the restrictions which the carrier company has regulated, the information of which is provided to the sender by the carrier.

NOTE: For commercial export cases, the sender will have to formally set up a company and request the necessary export authorization from the Chamber of Commerce. See point 7.1.1

7.2.2 Maritime transport
7.2.2.1 Port Concessionaire

Required forms and documents

The operator who intends to make an export must present the following documentation:

- **a)** Export license;
- **b)** Title deed (By air waybill and BL by sea);
- **c)** Content manifest (when required);
- **d)** Declaration of the consignor;
- **e)** boarding certificate for live animals;
- **f)** Documentation of the consignment;
- **g)** Certificate of origin;
- **h)** Invoice;
- **f)** Export authorization.

At the time of entry or exit of the national ports, relating to the ship, its cargo, crew and its personal property and the provisions on board, it was established that all documentation will be inserted in the JUP platform (Single Port Window), with the purpose of using a single point where information can be obtained and the necessary procedures for the entry and exit of ships carried out.

Costs - Port Tax Applied to Cargo

Designation	TP-C (Port Tariff Applied to Cargo)	TTEM (Traffic And Goods Stowerfare)	Total
Containers (Units)			
Container 20'full (Export)	5.600$00	12.000$00	17.600$00
Container 40'full (Export)	5.600$00	20.400$00	26.000$00

For more information on the associated costs, see the Other Costs section

7.3 Customs Procedures

In order to carry out an export, the operator must contact an agency with which he will establish the ship charter contract giving rise to the establishment of the BL, or aircraft giving rise to the waybill. The operator must then contact a dispatcher in order for the operator to register the export order through the Sydonia system, supported by documents such as the packing list describing the quantity and value of the goods, invoice, title owned by the transport agency or others that are necessary depending on the goods to be exported.

Costs

For export, the operator makes the following payments:

Customs	TEA (Customs Statistics Rate) and Emoluments
Dispatcher	Ordinance No. 65/93 of December 31
Agencies	By container or by cubicity

7.4 Means of payment

Payment of services to DGASP/ DGTR/DNPN

Payments related to the fees of services are paid through a DUC according to the guidelines of the State Treasury Regime, approved by Decree-Law No. 10/2012, of April 2 and regulation no. 28/2012.

Payment of the services of the Official Dispatchers

Payments related to the fee of services comply with Article 202 of the customs code by ordinance no. 65/93 of December 31, which establishes the fee table of official dispatchers in Cape Verde.

Entities	Forms of payments	
	DUC	Banking operations[8]
Customs		✓
DNICE	✓	✓
ENAPOR		✓
ASA		✓
Dispatcher Services		✓
Agencies and Freight Forwarders		✓
Chamber of Commerce		✓
DGASP	✓	✓
DGTR	✓	✓
DGEnvironment	✓	✓
ERIS		✓
TradeInvest		✓
DGFisheries	✓	✓
DN National Police	✓	✓

[8] Species, cheques (certified), banking transfers and ATM (Vinti4)

MODULE III

ANNEXES

8.1 Legislation

Chambers of Commerce	
Law	**Description**
Ordinance No. 32/2008	Determines the amount of the fee to be paid for the authorization and renewal for the exercise of activity of importer, exporter, wholesaler and commercial agent and revokes Ordinance No. 40/2004 of 4 October
Decree-Law No. 30/2009	Establishes the regime of inspection of commercial establishments and the regime of prior declaration to which food trade establishments and some establishments of trade in non-food products are subject and revokes Law Decree No. 3/2006 of January 16 and Ordinance No. 47/2008 of December 29
Ordinance No. 44/2008	Sets the amounts of fees payable for the authorization of installation, modification and inspection of wholesale establishments, wholesale in free service and commercial sets
Ordinance No. 42/2008	Approves the professional ID card of street vendor
Decree-Law No. 25/2009	Regulation on General Food Hygiene Standards
Ordinance No. 34/2008	Approves the form model of the application for registration in the register of commercial establishments
Decree-Law No. 69/2009	Defines the Legal Regime of Internal Trade
Law No. 101/VIII/2016	Establishes the general regime of urban lease, Article 3 (tax obligation) and Art. 10 (Supplementary term), whose term is 6 months
General Directorate for Agriculture, Forestry and Livestock	
Law No. 30/VIII/2013 - Article 16	Zoo Sanitary Law - Import and Transit
Law No. 30/VIII/2013 - Article 23	Sanitary Inspection
Law No. 30/VIII/2013 - Article 7	CITES Agreement - International Convention for the Protection of Protected Species (provided for in the Zoo Sanitary law)
DL N°12/20 OCT 8, Chapter IV, Section I	Sanitary safety of foodstuffs for human and animal use
Decree-Law (DL) 25/2009	General food hygiene standards
DL 67/2015	Food labelling
DL 2/2009	Infractions for economics and Public Health
DL 3/2009	Principles of control and quality of foodstuffs and animal foods;
DL 24/2002	Ionized salt - production, import and marketing

General Directorate for Agriculture, Forestry and Livestock (Continuation)	
Law	**Description**
Zoo Sanitary Law, Chapter XI	Administrative offenses - Article 39 Processing of administrative offenses/official report - Article 40
DL 9/95	General Regime of Administrative Offenses
Law No. 29/VIII/2013 of 13 May	Establishes phytosanitary protection standards
Ordinance No. 57/97 of September 9	Regulation of imports of vegetables and plant products
Ordinance No. 56/97	Sets the minimum amount in dispute from which hierarchical appeal is allowed to the Ministry of Agriculture of decisions taken by phytosanitary inspectors
Chapter V, Article 34, Law No. 29/VIII/2013	Sanctioning regime
BO No60 - Serie I of 14 October 2015	Phytosanitary agreement between the Republic of Cape Verde and the Republic of Guinea-Bissau
BO No37 - Serie I of 5 October 1998	Phytosanitary agreement between the Republic of Cape Verde and the Republic of Senegal
National Directorate of the Environment	
Decree No. 1/2005 of March 21	Cape Verde's annexation to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
Law Decree No. 27/2011 of August 1	Regulates the production, export, re-export, import of substance, equipment and other appliances that deplete the ozone layer
Law Decree No. 6/97 of March 31	Vienna Convention for the Protection of the Ozone Layer
Law Decree No. 5/97 of March 31	Montreal Protocol on Ozone-Depleting Substances
General Fisheries Inspectorate	
Law Decree No. 14/2020 of March 2	Establishes IGP as the competent authority (CA) for certification of fishery products intended for export
Legislative Decree No. 2/2020 of March 19	Defines the management and planning regime for fishing activities in national sea waters and on high seas
Law Decree No. 9/2002 of March 11	Defines the tasks of the Competent Authority for the inspection, health control and certification of fishery products
Ordinance No. 10/2002 of June 3	Lays down the conditions for the granting of authorisation and sanitary licences to establishments for the preparation and processing of fishery products intended for human consumption, to fishing vessels and factory vessels, for marketing on the domestic market, export and import

General Fisheries Inspectorate (Continuation)	
Law	**Description**
Ordinance 6/2001 of February 1	Lays down the sanitary standards governing the production and placing on the market of fishery products intended for human consumption
Ordinance No. 25/2009 of July 6	Defines the sanitary standards applicable to the production and placing on the market of fishery products intended for human consumption approved by Ordinance 6/2001
Ordinance No. 43/2015 of August 24	Approves the model of sanitary certificate for the export of fishery products intended for human consumption to the European Union
Dec. Law No. 72 of December 28, 2016	Table of fees to be charged for the Inspection of Fishery Products
Ordinance No. 48/2009 of December 14	Establishes the capture certification scheme in the framework to prevent, inhibit and eliminate illegal, unreported and unregulated fishing (IUU fishing)
Directorate General of Customs	
Legislative Decree No. 4/2010, of June 3, 2010	Approves the Customs Code
Legislative Decree No. 23/2014, of April 2, 2014	Approves the Customs Code Regulation
Law No. 14/VI/02 of September 19	Defines expense taxation system
Law No. 21/VI/2003, of July 14	Approves RIVA - Value Added Tax Regulation
Law No. 22/VI/2003, of July 14	Approves special consumption tax Regulation
Law No. 76/VII/2010, of August 23	Resets the Ecological Fee
Article 72 of the revised ECOWAS Treaty (5th Supplement B.O No 37/95, 1st series, of ...)	Regulates the Community Fee
Protocol A/P.1/7/97	Approved by Resolution No. 66/V/97 (B.O. no. 50/97)
Law No. 26/VIII/2013, of January 21 Republished with amendments by Law No. 86/IX/2020 of 28 April	Approves the general principles and rules applicable to tax benefits, establishes its content and lays down its concession and control rules (Tax Benefits Code)
ENAPOR	
Official Bulletin No. 14 II Series of March 2, 2018	ENAPOR Statute
Legislative Decree No. 01/2013 of 12 September amending Legislative Decree No. 10/2010	The Ports Act

ENAPOR (Continuation)	
Law	**Description**
Regulatory Decree No. 21/2013 of 14 November	The New Ports Exploration Regulation
Ordinance No. 80/84 of December 22, 1984	Regulation of traffic and stowerve staff in Cape Verde ports
Law Decree No. 31/2015 of 18 May	Basic Law of Concessions and Port Sub concessions
Resolution No. 52/2015 of 15 July	The Government Resolution approving the Draft Of The General Concession Agreement on Ports
Regulatory Decree No. 19/2014	Regulation of the piloting services of CV ports
Law Decree No. 19/2016, of March 18. Published Official Bulletin No. 18, I Serie	Regulates the acts and procedures applicable to the entry and exit of ships from national ports and lays down harmonised declaration formalities to be presented to public authorities for the scale of vessels in national ports, as approved by the FAL OMI Convention
Regulation No. 02/CD.IMP/2020 of June 17. Published in Official Bulletin No. 116 II Series of 25 August 2020	Certification regulation for access to Port Operator activity
Law Decree No. 39/2018	Creates the Maritime Safety Rate
Joint Ordinance No. 29/2018	TSM Value Table Approval
Law Decree No. 1/2019	Amendment to Law Decree No. 39/2018 (amendment of Article 5)
Joint Ordinance No. 7/2021 published in B:O. No. 37, I series of 9/04/2021	Approves the Tariff Regulation of Enapor, sa
Joint ordinance no. 08/2019 of March 25, 2019	ENAPOR tariff regulation
General Directorate of Road Transport	
Ordinance No. 40/97 and model 10, VERBETE - (model 10)	Vehicle application
Law Dec. No. 12/2012 of February 29	Approving and updating the fees to be charged by DGTR
Ordinance No. 40/97	Approving the Road Code Regulation of 1997
Law Decree No. 11/2018 of May 1	Approves the General Legal Regime of Motor Vehicles, Highway Code

Airports and Air Safety	
Law	**Description**
BO N°23 of Jun 14, 1990-Ordinance No. 30/90	Fees applied to boarding and disembarking loads
BO March 10, 1997 - Regulatory Decree No. 6/97; Ordinance No. 9/97	Legislation Terminal Cargo Post Office
BO No. 38 of Sep 17, 1988-decree no. 84/88	Special Warehouses Airport Terminals Regulation
Civil Aviation Regulation - CV CAR 18	Air transport of dangerous goods
Law No. 26/VIII/2013	Civil Aeronautical Tax Benefits Code
Independent Health Regulatory Body	
Resolution No. 12/2016, B.O. No. 09, Series II, 24 February 2017	Clarifies the procedures necessary for placing on the market of cosmetic products manufactured at national level or imported
Resolution No. 02/2019	Repeals and replaces Resolution No. 13/2016, published in B.O. No. 09, Series II, of February 24, 2017, thus updating the Regulation of Composition of Cosmetic Products
Law Decree No. 59/2006 of December 26	Regulates market placing authorization, registration, manufacture, import, marketing, of donations and the advertising of medicinal products for human use
Resolution No. 06/2016 of May 6	Approves the AIM Regulation for human medicines by full process
Resolution No. 14/2016 of March 16	Approves the Regulation of Amendments to the Terms of an AIM
Resolution No. 03/2019, September 3 and its annex	Approves the AIM Regulation of Medicinal Products for Human use by recognition of AIM granted by another State
Resolution No. 05/2019 of December 26	Establishes the Regulation of Special Import Authorization of medicinal products for human use not contained in LNM or LNME or not registered in Cape Verde
Law-decree No. 21/2016, of March 31, published in B.O. no. 24, I Series	Regulates the manufacture, import and placing on the market of cosmetic products
Ministry of Health and Social Security	
Directive 93/42/EEC published in 1993 in the European Parliament;	Relating to medical devices
Law Decree No. 26/VIII/2013, January 21	Enshrines the general principles and rules applicable to tax benefits, establishes their content and lays down their rules for granting and control

National Police

Law	Description
Law No. 31/VIII/2013 of May 22	Approves the Legal Regime on Arms and Their Ammunition.
Legislative Decree No. 49/2017, of November 14	Approves the Organic Law of the National Police

CODE OF TAX BENEFITS: Law No. 26/VIII/2013 of January 21
UPDATES: Law No. 102/VIII/2016 of January 6, 2016 – Law No. 5/IX/2016 of December 31 – Law No. 20/IX/2017 of December 31 – Law No. 44/IX/2018 of 31 December 2018 - Law No. 86/IX/2020 April 28, 2020

State Budget 2022: Law No. 4/X/2021 of 31 December 2021

Tax Benefits to Investment	Tax Benefits to the International Business Center	Customs Tax Benefits	Tax System
Art.15 - Exemption from Customs Duties	Art.21 - Benefits of a customs nature	Art.45 Agriculture, livestock and fisheries	Article 17 - Incentives for Young Start-ups
		Art.46 Industry	Art.27 - Exemption on imports carried out by local authorities
		Article 47 Civil Aeronautics	Art.28 - Taxi Import Incentive
		Art.48 Maritime transport	Art.29 – Incentives for the importation of collective passenger transport vehicles and light passenger vehicles intended for executive transport
		Art.49 Social Communication	Art.30 - Incentives for the importation of heavy transport vehicles for tourists
		Art.50 Diplomatic and consular missions and their agents and employees	Art.31 - Incentives for electric mobility
		Art. 51st Diplomatic and administrative officials cape verdeans	Art.32 - Import of equipment for quality certification
		Art.52 Development aid	Art.33 - Incentive to build spaces for sports
		Art.53 Patronage, customs benefits	Art.34 - Fiscal and administrative measures for the implementation of the fiber optic submarine cable project

	Art.54 Definitive return of non-residents	Art.36 - Customs Incentives within the scope of the digital terrestrial television implementation project
	Art.55º Retired foreign citizens and Green Card holders	Art.37 - Incentives for distance learning
	Art.56. Disabled people	Art.39 - Incentives for desalination of water for use in agriculture
	Art.57 - Health Sector	Art.40 - Incentives for the importation of food, medicines and irrigation materials
	Art.58º Musical equipment and sports materials	
	Art.55th Armed Forces, Police, Fire and Prison People	
	Art.56 Political parties and independent candidacies	

8.2 Other Costs
8.2.1 ENAPOR

- Warehouse Fares

Storage Period	Cont. <=20′ full	Cont. >20′ full
In the first 5 days	Gratuitous	Gratuitous
From the 6th to the 15th day	208$00	270$00
From 16th to 30th day	364$00	473$00
From the 31st to the 60th day	520$00	676$00
From the 61st day	884$00	1149$00

Storage Period	Cont. <=20' empty	Cont. >20' empty
In the first 5 days	Gratuitous	Gratuitous
From the 6th to the 30th day	45$00	76$00
From the 31st day	52$00	88$00

- Equipment Usage Fares

Type of Equipment	Fare
Tugs	
Up to 1000 HP	25.000$00/hour
From 1000 to 1999 HP	35.000$00/hour
More than 2000 HP	45.000$00/hour
Lanchas	7.500$00/hour
Cábrea Flutuante	10.500$00/hour
Defensas Amovíveis	7.000/24hours
Crane (lifting force)	
<= 15t	10.000$00/hour
>15 and <=25t	15.000$00/hour
>25t	20.000$00/hour
Forklifts (lifting force)	
<=10t	3.000$00/hour
>10t	10.544$00/hour

Other ground equipment	
Tractor	3.000$00/hour
Trailer	1.200$00/hour
Unloading and loading devices	
Vehicles	426$00/hour
Containers and Large Weights	1.278$00/hour
Other paraphernalia	149$00/hour

8.2.2 DGASP

- Animals and products of animal origin

Animals and products of animal origin (import and export)	Rate (ECV Value)
Cattle	150$/Head
Equine	200$/Head
Asinine	80$/Head
Camelids	200$/Head
Sheep and goat	50$/Head
Pigs	50$/Head
Poultry and Cunicule	10$/Head
Decoration and pet birds of all species	10$/Head
Day chicks, Fertile and hatching eggs, semen, embryos	Immune
Other live animals of other species, wild, aquatic and for various use	50$/Head

Animals and products of animal origin (import and export)	Rate (ECV Value)
Live animals of different pet species, including canines, felines and ferrets and other commercial animals	200$/Head
Live animals of different pet species namely canines, felines and ferrets and decoration of non-commercial usage	100$/Head
Meat and meat products of frozen meat, chilled, smoked, dried, salted and subject or not to any type of treatment and processing of domestic and livestock species: Bovine, equine, asinine, goat, sheep, pig, camelids, buffaloes, cuniculi of a commercial nature	2$00/Kg
Meat and meat products of frozen meat, chilled, smoked, dried, salted and subject or not to any type of treatment and processing of domestic and livestock species: Bovine, equine, asinine, goat, sheep, pig, camelids, buffaloes, cuniculi of a non-commercial nature	2$00/Kg
Meat and meat products frozen, chilled, salted, dried or subject to any type of treatment of other species of non-livestock animals	2$/Kg
Animal viscera and offal	2$/Kg
Lard, bacon and animal fats	2$/Kg
Casings for cold cuts	2$/Kg
Ham and meat pastes	1$/Kg
Meat and derivatives of larger and smaller game species, wild	2$/Kg
Canned, semi-canned, preserved and frozen products in portions containing meat products and/or products of animal origin in part or in whole	1$/Kg
Meat and meat products of poultry, chickens, ducks, turkeys, geese and other species intended for human consumption	2$/Kg
Ofness of birds of all species	2$/Kg
Milk and derivatives, Dairy products, Dairy beverages	2$/Kg
Liquid Milk, Milk Powder, Condensed Milk, Evaporated Milk	2$/Kg
Yoghurt	2$/Kg

Animals and products of animal origin (import and export)	Rate (ECV Value)
Curd, Whey	2$/Kg
Mayonnaise	2$/Kg
Ice cream	2$/Kg
Butter and animal margarine	2$/Kg
Cheese	2$/Kg
Creams	2$/Kg
Bechamel (dairy) sauce	2$/Kg
Cream	2$/Kg
Consuming eggs	1$/Kg
Eggs and products derived from eggs	1$/Kg
Bee honey, its derivatives and bee products (propolis, wax, etc.)	1$/Kg
Fish meal	1$/Kg
Skin, leather	1$/Kg
Commercial lye and feather	1$/Kg
Horns, hooves and nails for commercial purposes	1$/Kg
Shells of all animal species	1$/Kg

Vegetables and products of plant origin

Animals and products of animal origin (import and export)	Rate (ECV Value)
Cereals and dry beans	$50/Kg
Fresh and frozen fruits and vegetables	1$/kg
Wood	$50/Kg
Flowers and floriculture products	10$/Kg
Processed plant products	$50/Kg
Industry products	$50/Kg
Dried fruits	1$/Kg
Wood, charcoal and wood works	$50/Kg
Cork and its works	$50/Kg
Plants and cuttings for fruit trees	$50/Kg
Ornamental plants	10$/Kg
Ornamental plant seeds	10
Vegetables and fruit seeds	50/Kg
Seeds and forest essentials	Free
Other plant products	1$00

Fishery products

Export		Import		Other	
Goods	Esc/Kg Rate	Goods	Esc/Kg Rate		
Fish	0,075	Fish	0,075	Samples without commercial value	150$
Crustacean	2	Crustacean	2,5	Samples without commercial value	150$
Mollusc	1,5	Mollusc	2	Bulletin and commercial sample	150$/doc
Bivalve	1,5	Bivalve	2	Bulletin and commercial sample	150$/doc

The amount of 300$00 (three hundred escudos) is charged for the issuance of a Sanitary Import Authorization. According to the Law of collection of revenues in the Public Administration is made through DUC - Single Collection Document, can be paid through POS existing in the services of IGP, deposited in any Commercial Bank or at a post office of Cape Verde.

Weapons and Ammunition

Summary of gun license fees

(Ordinance N°46/2013)
Most requested

N.B.: When delivering each application aimed at granting any authorizations, licenses and permits, as well as the practice by the PN of any other acts provided for in this diploma, the payment of 50% of the respective fees, non-refundable and independent of the approval of the requested application, is advanced (Article 2 of Ordinance No. 46/2013).

Designation of services	Consignment	Note	55% Ammount value paid to PN	45% Ammount value paid to State	Total (State+PN)
By **issuing licenses** for the use and possession of weapons of the classes	B and B1 C D		8 250,00 5 500,00 4 950,00	6 750,00 4 500,00 4 050,00	15 000,00 10 000,00 9 000,00
For **the renewal of licenses** for the use and possession of weapons of the classes	B and B1 C D		4 125,00 2 750,00 2 475,00	3 375,00 2 250,00 2 025,00	7 500,00 5 000,00 4 500,00
By **issuing a weapons manifest booklet** when resulting from:	Import, manufacture, procurement and voluntary presentation		4 400,00	3 600,00	8 000,00
For **the granting of authorization for the importation** of weapons of the classes	B, B1, C and D E, F and G	If it is private it is twice the amount	7 700,00 6 600,00	6 300,00 5 400,00	14 000,00 12 000,00
For **the granting of authorisation** to import ammunition for weapons of the classes (per 1000)	B, B1, C and D	If it is private it is twice the amount	660,00	540,00	1 200,00
By **granting import authorisation of** (per 1000):	Cartridges or casings with explosives	If it is private it is twice the amount	440,00	360,00	800,00
For **the granting of authorization for the temporary importation** of weapons of the classes:	B, B1 and C D, E, F and G		1 650,00 825,00	1 350,00 675,00	3 000,00 1 500,00
By granting **authorisation for the frequency of technical and civic training** to:	Carrying firearms and for the exercise of gunsmith activity		3 300,00	2 700,00	6 000,00
By issuing a certificate of approval in technical and civic training courses for:	Carrying firearms and for the exercise of gunsmith activity		3 300,00	2 700,00	6 000,00
By issuing 2nd way or renewals of:	Permits and licenses	50 % of the value of the original act (Art. 14)			0,00

Authorization to import weapons and ammunition

Authorization of imports	
Type of weapon	**Rate (CVE)**
Weapon class B or B1 / C / D	7 000
Class C weapon	7 000
Class D weapon	7 000

Authorization of imports	
Type of weapon	**Rate (CVE)**
Class E weapon	6 000
Class F weapon	6 000
Class G weapon	6 000
Essential part of class B or B1 weapon	300
Essential part of Class C weapon	300
Essential part of Class D weapon	600
Ammunition for class B or B1 weapons (per 1,000)	600
Ammunition for class C weapons (per 1,000)	600
Ammunition for class D weapons (per 1,000)	600
Cartridges or wrappers with explosives (per 1,000)	400
Explosives	400

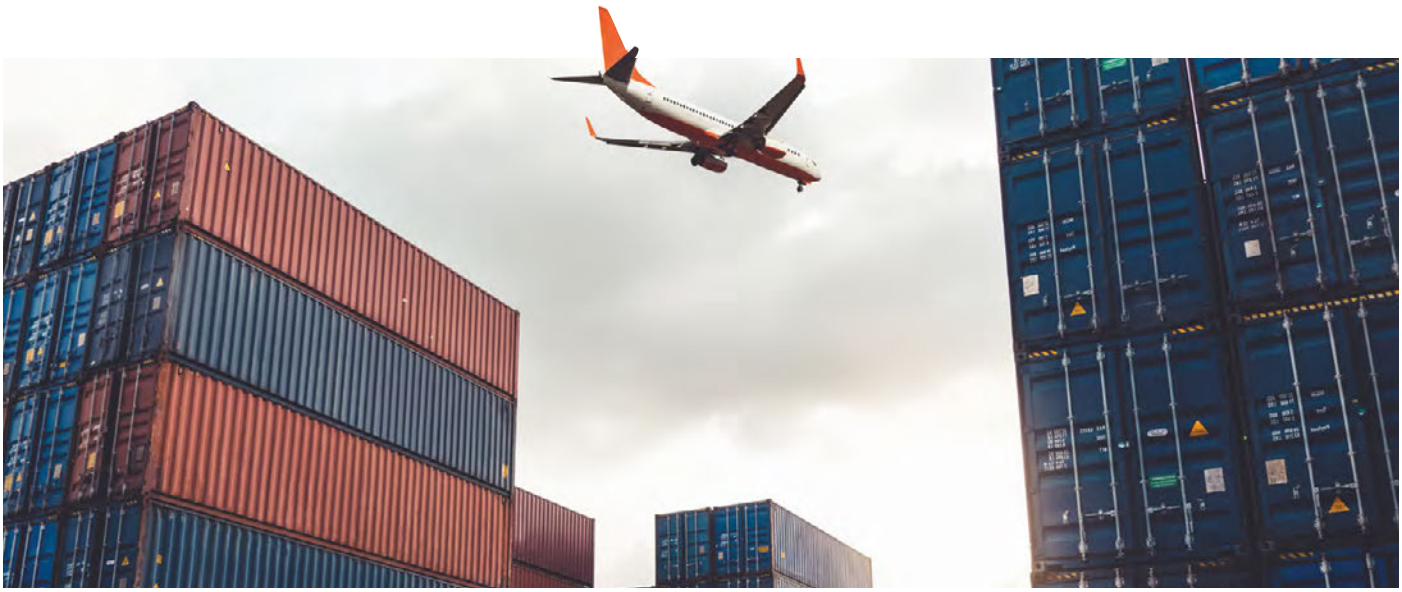
Note: The above rates, when made by individuals, are double the amounts listed above

- Authorization for temporary importation of weapons

Authorization for temporary importation	
Type of weapon	**Rate (CVE)**
Weapon class B or B1 / C / D	3 000
Class C weapon	3 000
Class D weapon	1 500
Class E weapon	1 500
Class F weapon	1 500
Class G weapon	1 500

Authorization for the export of arms and ammunition

Export authorization	
Type of weapon	**Rate (CVE)**
Weapon class B or B1 / C / D	300
Class C weapon	300
Class D weapon	300
Class E weapon	300
Class F weapon	200
Class G weapon	200
Essential part of class B or B1 weapon	200
Essential part of Class C weapon	200
Essential part of Class D weapon	200
Ammunition for class B or B1 weapons (per 1,000)	Immune
Ammunition for class C weapons (per 1,000)	Immune
Ammunition for class D weapons (per 1,000)	Immune
Cartridges or wrappers with explosives (per 1,000)	Immune
Explosives	Immune



Import type	Document / Requirements	Observation
General Principle	Decree-Law No. 68/2005, of October 31 - Legal Regime of Foreign Trade Import and export operations are free for importers and exporters, accredited by law.	
Import by natural persons	1. Invoice or prior examination 2. Request addressed to the DNICE 3.Other documents (depends on the type of import)	Natural persons may only import goods in quantities that do not reveal a commercial practice.
Imports carried out by legal entities that do not have import trade as their corporate purpose	1. Invoice or prior examination 2. Request addressed to the DNICE made by the company 3. Other documents (depends on the type of import)	Legal entities whose corporate purpose is not import trade may only import goods under the terms of the respective applicable sectoral legislation.
Vehicle import for natural persons (emigrants)	1. Declaration 2. Power when it exists 3. Requirement 4. Invoice/value declaration 5. Identity of the owner of the vehicle (foreign passport/carte sejour/residence card/prosecutor's green card, if any) 6. Registration inspection document 7. Dispatch entry 8. Immigrant test	When the applicant submits only the copy of the foreign passport, proof of emigrant is requested, which can be a Declaration of the competent services; copy of the employment contract abroad;
Import of weapons/fireworks/dynamite/ sticks/tear gas	Declaration of authorization issued by the Ministry of Internal Administration - National Police - valid for 90 days	
Importation of pharmaceutical products - chapter 30 of the tariff code	Favorable opinion of the Ministry of Health	Including companies accredited under the Trade Act
Import of Fuels (chapter 27)	Declaration of ENACOL and VIVO ENERGY	
Imports of tourist service companies (other entities)	Commercial invoice with seal and signature of the tourism sector	
Import of vehicle wagons for replacement (national)	DGTR Technical Opinion Property title	
REMPE- import of vehicles	REMPE certificate DGCI debt statement Administrator identification Commercial invoice	
Import by public bodies - Decree-Law No. 9/2011, of January 31	1. Public organisms may, exceptionally, import goods or products necessary for the performance of their functions in a situation of public calamity, national, regional or local emergency, as well as for important reasons of public health, national security or the environment. 2. Public organisms may also import the goods necessary for the performance of their functions, under the terms and conditions set forth in article 79 of Decree-Law No. 1/2009, of January 5, which approves the Regulations of the Law of Public Contracts. 3. Public agencies may only import goods or products in quantities that do not reveal a commercial practice.	

Export type	Procedure and required document	Responsible entity
Export of copper wires, aluminum and other materials used in the supply of electrical energy (Joint Order No. 18/2013)	1. Request addressed to the National Director of Industry, Commerce and Energy	Operator
	2. Identification document of the applicant;	Operator
	3. Identification document and NIF in case of purchase by natural persons;	Operator
	4. Commercial invoice;	Operator
	5. Document of acquisition (origin) of materials;	Operator
	6. Term of responsibility issued by the applicant and owner of the declared materials;	Operator
	7. Document requested by the local customs to monitor the filling of containers	Operator
	8. Inspection report	DNICE

Island	Name	Address	Phone/Fax	Email
Santo Antão	António Maurício Duarte	Porto Novo	Pho./Fax.: 2221142	despachantemauricio@gmail.com despachantejosianesantos@gmail.com
São Vicente	Alexandre Campos P. Novais	CP nº 164 – Mindelo	Pho.: 2321813 Fax: 2321814	alexandrenovais39@hotmail.com denovais.despachantes@gmail.com
	Manuel de Jesus Cabral	CP nº 13 – Mindelo	Pho.: 2323409 Fax: 2323410	mjesuscabral@cvtelecom.cv
	Silvestre Pinto Lopes da Silva	CP nº 336 – Mindelo	Pho.: 2323484 Fax: 2323466	silvalopes@cvtelecom.cv
	Camilo Ana Almeida	CP nº 157 - Mindelo	Pho.: 2316278 Fax: 2315552	c-almeida20@hotmail.com
	António João da Cruz		Pho.: 2310605 Fax: 2310604	doficialcruz@hotmail.com tonycruzdespachante@gmail.com
	António Cruz Lima	CP nº 152 - Mindelo	Pho.: 2323272 /2323277/2328472 Fax: 2316822	antoniocruz.limacv@gmail.com antoniocruzlima20@hotmail.com antoniocruz.lima@hotmail.com
	Carlos Manuel Monteiro Fernandes	CP nº157	Pho.: 2325889 / 9500394	despachantecfernandes@gmail.com
	José Carlos Santos Monteiro	CP nº 444 - Mindelo	Pho.: 2313068	
São Nicolau	Danielson dos Santos de Oliveira	Ribeira Brava	Pho.: 2361025	danoliveiracv@hotmail.com despachantesn@hotmail.com doliveirasn@gmail.com
Sal	Pedro José dos Santos	CP nº 31	Pho.:2411154/2414075	pedrodossantosdespachante@gmail.com ijmasantos@hotmail.com juliolima32@hotmail.com
	José Silva Ganeto	CP nº 78	Pho.: 2412637 Fax:2413489/ 2414105/2410505	ganeto69@hotmail.com despachanteganeto240@gmail.com
	Raimundo Filipe Alves	CP nº 78	Pho.: 2412595/ 2414096 Fax: 2413239	opesraimundo@hotmail.com despachanteralves@hotmail.com
	José Carlos Santos		Pho.: 2414156 Fax: 2414157	jcs915603@cvtelecom.cv marioreis_lopes@hotmail.com marioreis_87@hotmail.com
	Arlindo Arnaldo Chantre		Pho.: 2412769/9988923 Fax: 2411610	acachantre@hotmail.com arlindochantre10@gmail.com
Boa Vista	António Delgado Pimentel	Sal Rei – Boavista	Pho.: 9175897/ 9919016/2511774 Fax: 2511718	antonio.pimentel1@hotmail.com antonio.d.pimentel@gmail.com
	Fátima Maria Alves Neves	Santa Isabel, Boa Vista	Pho.: 2511477	desp.fatimaneves@hotmail.com

Island	Name	Address	Phone/Fax	Email
Santiago	Alfredo José de carvalho Veiga	CP nº 86 – Praia	Pho.: 2614170 Fax: 2617419	jtveiga@gmail.com adalbertosanca@hotmail.com
	João Rodrigues Pires	CP nº 54 – Praia	Pho.: 2612916 Fax: 2615242	climacorpires@gmail.com piresan71@gmail.com
	Cláudio Inocêncio Nevves	CP nº 14C-Fazenda	Pho.: 2616270/2612028 Fax: 2612208	diascardoso.cc@gmail.com claudinacardoso@outlook.com elsaneco@hotmail.com hadjinaneves@hotmail.com
	Firmino Baessa	CP nº 247 – Praia	Pho.: 2614124 Fax: 2614406	firminobaessa@gmail.com
	José Maria L. Barbosa Vicente	Fazenda – Praia	Pho.: 2614421/ 2611120/2615921/ 2617035 Fax: 2615605	josemarialbv@gmail.com jelsoncvicente@gmail.com adajosemarialbv@gmail.com
	Agência Despachante Aduaneiro Ferreira & Sena Lda	CP nº 270 – Praia	Pho.: 2614517/ 2615533 Fax:2614477	adafersena@hotmail.com adafersena@gmail.com
	Orlando Gonçalves Fidalgo	Fazenda – Praia	Pho.: 2613284 Fax: 2615250	fidalgodespachante@gmail.com despachantefidalgo@hotmail.com
	Armindo Mendes Oliveira	Fazenda – Praia	Pho.: 2613868/2611522 Fax: 2611507	despachante.mendes@hotmail.com despachantemendes@hotmail.com
	Elísio A.D.S. Carvalho	CP nº 134 – Praia	Pho.: 2612188 Fax: 2614308	elisiocarvalhodo@gmail.com elisiocarvalho@cvtelecom.cv
	Carlos Pereira Modesto		Pho.: 2613410 Fax: 2635510	carlospmod@hotmail.com Carlospmod@cvtelecom.cv
	Morais & Cruz	Caixa postal nº 552-Praia	Pho.: 2612542 Fax: 2613395	cristina.cruz@adcruz-lda.com eliana.afonso@adcruz-lda.com morais.cruz@adcruz-lda.com morais.cruz.despachante@gmail.com
	Octávio Ulisses Bettencourt Pinto	Rua Justino Lopes nº 7 – Praia	Pho.: 2613087 Fax: 2613087	upintodespachante@hotmail.com digitalic2013@gmail.com
	Alfredo Vera-Cruz	Caixa postal nº 220	Pho.: 2609223/2609200 Fax: 2613289	antonio.serra@cvt.cv alfredo.veracruz@cvt.cv
	Adelino Teixeira Barbosa		Pho.: 2613892 Fax: 2616880	dimariarosaiva@sapo.cv anjos@cvtelecom.cv
	Helder Moreira e Santos		Pho.: 2615556 Fax: 2616211	despachanteheldersantos@gmail.com
Fogo	Francisco Socorro Barbosa	S. Filipe – Fogo	Pho./ Fax: 2813256	franciscosbarbosa@hotmail. com dalvio.depina@gmail.com despachanteoficial.saofilipe@hotmail.com
	Guilherme Ribeiro Gonçalves Neto	Mosteiros - Fogo		despachanteguilhermeneto@gmail.com despachanteguilhermeneto@outlook.pt
Brava	Júlio António Gomes		Pho.: 2851044/9502295	djufurnabva@gmail.com

bibliography

Cape Verde Customs Code

Sites:

https://www.eris.cv/
https://cvtradeinvest.com/
https://www.ccs.org.cv/index.php/pt/
https://www.camara.cv/
https://ine.cv/sugestoes/
https://mf.gov.cv/web/dnre
https://ecowas.int/?lang=pt-pt
http://www.enapor.cv/page/homepage
https://www.wto.org/
https://agoa.info/about-agoa.html
https://www.legislation.gov.uk/uksi/2020/1436/regulation/20/made
https://www.worldbank.org/pt/topic/trade/publication/the-african-continental-free trade-area
https://ec.europa.eu/taxation_customs/index_en
https://www.barolicorretora.com.br/o que e-seguro de transporte-internacional-de carga/
https://iccwbo.org/resources-for-business/incoterms-rules/incoterms-2020/
https://internationalcommercialterms.guru/

This Manual is a product of the Government of Cape Verde prepared under the supervision of the Competitiveness Unit of the Prime Minister's Office and the National Trade Facilitation Committee - CNFC, in collaboration with:

- Direção Geral das Alfândegas
- National Directorate of Industry, Commerce and Energy
- Directorate General of Agriculture, Forestry and Livestock
- Directorate General of Environment
- General Fisheries Inspection
- Directorate General of Road Transport
- National Directorate of Health
- National Police
- Enapor
- Air Security Airport
- Health Independent Regulatory Authority
- Barlavento Chamber of Commerce
- Eastern Algarve Chamber of Commerce
- CV TradeInvest
- PMAR Cape Verde Shipping Agency
- Rangel Logística Cape Verde
- Beletrans Shipping and Traffic Agency
- Navex Cape Verde

GOVERNO DE
CABO VERDE
A TRABALHAR PARA TODOS.