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Statutory Instrument 138 of 2007.

[CAP. 14:05

Control of Goods (Import and Export) (Agriculture) Order, 2007

IT is hereby notified that the Minister of Industry and International Trade has, in terms of section 3 of the Control of Goods (Import and Export) (Agriculture) Regulations, 2007, published in Statutory Instrument 137 of 2007, has made the following order:-

1. (1) This order may be cited as the Control of Goods (Import and Export) (Agriculture) Order, 2007.

(2) This order shall come into operation on the 1st August, 2007.

2. (1) Subject to subsection (2), no person shall import into Zimbabwe, except in accordance with the terms and conditions of a permit issued under section 4, any goods listed in the First Schedule.

(2) Subsection (2) shall not apply in relation to—

(a) any goods which are in transit through Zimbabwe to a place beyond the borders thereof;

(b) any goods which are imported into Zimbabwe—

(i) by a person or family residing in Zimbabwe for their personal domestic consumption and not for sale or disposal to any other persons; or

(ii) as a *bona fide* gift from a person residing outside Zimbabwe to a person or family residing in Zimbabwe;

if the value of such goods does not exceed the equivalent of two hundred and fifty United States dollars or, where goods of the same class are imported into Zimbabwe by the same family more than once in any calendar month, if the aggregate value of such goods imported into Zimbabwe during that calendar month does not exceed the equivalent of two hundred and fifty United States dollars.

3. (1) Subject to subsection (2), no person shall export from Zimbabwe, except in accordance with the terms and conditions of a permit issued under section 4, any goods listed in the Second Schedule.

(2) Subsection (1) shall not apply in relation to any goods which are in transit through Zimbabwe to a place beyond the borders thereof.

4. The Secretary may issue a permit authorising, subject to this order and any other law in force in Zimbabwe—

(a) the import into Zimbabwe any goods listed in the First Schedule;

(b) the export from Zimbabwe of any goods listed in the Second Schedule;
on such terms and conditions as may be specified in or attached to the permit.

5. An application for the issue of a permit under this order shall be made in writing and, subject to section 6, shall be addressed to the Secretary for Industry and International Trade, Private Bag 7708, Causeway, Zimbabwe.

6. Where a permit is required in accordance with this order and also in accordance with the Animal Health (Import) Regulations, 1989, published in Statutory Instrument 57 of 1989 (hereinafter called "Animal Health (Import) Regulations") to authorise the import into Zimbabwe of the same goods—

- (a) an application for the issue of a permit in terms of this order shall be deemed to be an application for the issue of a permit in terms of the Animal Health (Import) Regulations;
- (b) if the Secretary issues a permit, he or she shall thereupon forward the permit and the application to the appropriate person authorised to issue a permit in terms of the Animal Health (Import) Regulations to be dealt with by such person in accordance with such regulations unless—
 - (i) he or she is satisfied that the person authorised to issue a permit in terms of the Animal Health (Import) Regulations has already issued a permit which is in force; or
 - (ii) the applicant specifically requests otherwise;
- (c) the Secretary shall not issue a permit under this order, if he or she is satisfied that the person authorised to issue a permit in terms of the Animal Health (Import) Regulations has already refused to issue a permit;
- (d) if the Secretary issues a permit under this order after being furnished with a permit issued by the person authorised to issue a permit under the Animal Health (Import) Regulations which is in force, he or she shall thereupon forward both permits to the applicant.

7. (1) The Secretary may, by notice in writing to a permit holder, revoke a permit issued by him or her under section 4 if the permit holder has failed to comply with this order or if any statement made in the application for a permit is found to be inaccurate or misleading.

(2) A permit revoked in terms the subsection (1) shall be returned immediately by the holder thereof to the Secretary.

8. A permit issued under section 4 shall not be transferable and any purported transfer of such permit shall be invalid.

9. Nothing contained in this order or in any permit issued thereunder shall exempt the holder of such permit from complying with the provisions of the Grain Marketing Act [*Chapter 18:14*] or any other law in force in Zimbabwe controlling the import into or export from Zimbabwe of the goods to which such permit relates.

10. Any permit issued under section 6 of the Control of Goods (Agriculture) (Import and Export) (Agriculture) Order, 1974, published in Rhodesia Government Notice 216 of 1974, shall be deemed to have been issued by the Secretary under section 4 of this order.

11. The orders specified in the Third Schedule are repealed.

FIRST SCHEDULE (*Sections 2 and 4*)

GOODS FOR THE IMPORT OF WHICH A PERMIT IS REQUIRED

Animal oil and fats (lard, tallow and dripping)
Animal semen and animal embryos
Beef
Butter, cream and ghee
Canned meat products
Cashew nut oil
Cheese
Coconut oil
Cooking oil
Cotton lint
Fertiliser
Full cream milk powder and skimmed mild powder
Hides and skins
Ice-cream and ice-cream mix

FIRST SCHEDULE (*Sections 2 and 4*)

GOODS FOR THE IMPORT OF WHICH A PERMIT IS REQUIRED

Margarine
Mealie-meal
Milk, pasteurised, sterilised
Palm oil
Raw sugar
Refined sugar
Stock feeds
Tea
Timber and timber products
Vegetable acid oil
Vegetable fats
Vegetable oils
Wheat flour

SECOND SCHEDULE (*Sections 3 and 4*)

GOODS FOR THE EXPORT OF WHICH A PERMIT IS REQUIRED

Animal oils and fats (lard, tallow and dripping)
Animal semen and animal embryos
Bananas
Barley, barley meal, barley malt

Beans, dried bean meal

Beef, veal

Canned meat products

Cashew nut oil

Cattle, whether live or dead, including edible products produced from the carcasses of cattle, but excluding meat extract, meat paste, potted meat and canned meat which has been subjected to a process of cooking

Cement

Citrus fruits

Coconut oil

Coffee

Compound products containing flour, meal, residues and other preparations of a kind suitable only as animal feedstuff but excluding—

- (a) antibiotic growth stimulants
- (b) cat and dog food
- (c) chemical additions to animal feedstuff
- (d) inert fillers
- (e) synthetic animal feedstuff
- (f) trace elements

Cooking oil

Cotton, bleached cotton, cotton lint, cotton seed, cotton yarn, ginned cotton seed and raw cotton or unginning cotton

Eggs of poultry, whether in shell, pulp or dried form

Fish, whether fresh or dried

Fertiliser

Full cream milk powder and skimmed milk powder

Groundnuts

Hides and skins

Ice-cream and ice-cream mix

Industrial equipment

Margarine

Maize, including—

- (a) crushed maize
- (b) dried maize (on or off the cob)
- (c) green maize on the cob
- (d) samp

Maize meal, blood meal and carcass meal—

- (a) haming chop
- (b) maize cones
- (c) maize grits

SECOND SCHEDULE (*Sections 3 and 4*)

GOODS FOR THE EXPORT OF WHICH A PERMIT IS REQUIRED

Meat meal, blood meal and carcass meal

Millet in the grain, millet meal and millet malt

Milk—

- (a) lacto
- (b) liquid milk
- (c) pasteurised
- (d) sterilised
- (e) ultra heat treated (UHT) milk

Oilseeds, oil cake and oil cake meal

Palm oil

Pigs, whether live or dead, including edible products produced from such carcasses, but excluding meat extract, meat paste, meat powder, potted meat and canned meat products which have been subjected to a process of heating

Poultry, whether live or dead, including—

- (a) day old chicks
- (b) products produced from such carcasses, but excluding canned poultry products which have been subjected to a process of heating

Seeds for planting

Sorghum in the grain, sorghum meal and sorghum malt

Soya beans

Sunflower

Tea

Wheat in the grain, wheat bran and wheat pollard

THIRD SCHEDULE (*Section 11*)

REPEALS

<i>Title</i>	<i>Statutory Instrument</i>
Control of Goods (Import and Export) (Agriculture) Order, 1993	350 of 1993
Control of Goods (Import and Export) (Agriculture) (Amendment) Order, 1996 (No. 1)	142 of 1996
Control of Goods (Import and Export) (Agriculture) (Amendment) Order, 1997 (No. 2)	146 of 1997