Customs

Import Customs Clearance

In general following documents have to be provided for import clearance:

a. 1x original and 1x copy of Bill of Lading
b. 1x original of commercial invoice certified by Chamber of Commerce in English
c. 1x original Certificate of Origin Certified by Chamber of Commerce translated into Arabic and legalized by the respective Embassy
d. 1x master packing list
e. 1x detailed complete packing-list

- According to the decision made in March 2002 regarding the regulation of imports the previously necessary import licenses are no longer required
- Libya is working with a customs tariff code more or less equal to systems used anywhere in the world
- According to the decision made in July in 2005 all materials imported to Libya are exempted from customs duty
- Instead of customs duty, a general customs service’s fee of 10% of the value of the goods plus 1% services tax from the value of the goods need to be paid
- To protect the local market, a list of 81 items (the list is attached) has been issued for which production and consumption tax needs to be paid
- Some governmental projects are exempted from the payments of services fee, tax and production / consumption tax. This is depending on the exemption granted and must be clarified with the receiver
- In any case it must be clear that it is necessary that the materials, which have to be considered as contractual materials and are only for erection of plant, will be shipped on separate documentation from any materials which are for the use of the contractor and / or to be considered as consumable
- The execution of documentation and the speedy handling of all documentation is vital to the successes of the project, and of course, also vital to the successes of all logistic activities
- For the customs operation it is necessary that the customs broker will be authorized to act and to operate on behalf of the contractor. Documents have to be available in the respective office in Libya a minimum of 5 working days prior arrival the vessel. This is of the utmost importance for a smooth operation, as there is always an approval system by the Libyan contractor/receiver who will have to endorse the customs declaration.
- This is of course time consuming especially with the view to the materials which are to be discharged directly from the vessel to trailers, it is compulsory for the documentation to be in Libya on time

In general in Libya they are 4 different kinds of importation to be distinguished:

- Permanent import of materials under payments of customs service fee and tax
- Permanent import without payments of customs service fee and tax
- Temporary import
- Transit

Kindly be informed about the different kinds of imports as follows:

**Permanent Imports (with payment of customs service fee and tax)**
In this case the customs service fee as well as the taxes on the fees, which are applicable, will be calculated. This kind of import has to be arranged for materials, which are not to be considered as materials directly belonging to the plant and to be implemented to the plant, such as spare parts, consumables and other materials. The import of materials under payments of customs duty would be arranged under the name of the contractor.

**Permanent Imports (without payment of customs service fee and tax)**

- In case of permanent imports under services fee and tax exemption in the declaration itself, the name of the Libyan contractor will be shown together with the supplier.
- In such cases the customs declaration has to be signed by the contractor and the receiver.

**Temporary Imports**

- For temporary imports such as cranes, trucks and erection equipment a guarantee will be required by customs authorities. This guarantee is dependent on the kind of goods to be imported temporary and related also to the value.
- After re-exporting the materials for which of course an additional customs declaration has to be issued, the guarantee, submitted to the customs authorities, will be returned.
- It is important to note that the materials which are to be imported on a temporary basis are always only allowed to stay a certain period, which is mentioned in the customs declaration. This period can normally be extended, will be applied for, prior to the expiry of the original temporary validity date.

**Transit**

- All WFP commodities are imported under transit import basis which is implemented for all imported materials to countries sharing a border with Libya.
- There are certain procedures and documentation for such imports, a guarantee needs to be paid by the forwarder to the customs authority which will later be returned after official confirmation on customs the declaration by customs staff at the last customs check-point on the border.
- Customs then confirm that all transited cargo (same quantity, quality) has departed Libya.
- Transit cargo from the entry point in Libya to the departure point must remain under customs guard and remain sealed.

**Clearance Formalities**

Actually the clearance formalities for importation of goods are as described as below:

- Receipt of full set of original shipping documents.
- Checking of documents for completeness and correctness.
- Submitting of original shipping documents to the customs clearance agency.
- Issuance of customs declaration and forms including classification of goods as per customs rules.
- Evaluation of payable services fees and/or tax according to valid current exchange rates.