

**Law No. 21 of 2001 of Import and Export and amendments thereto,
published in the Official Gazette page 2453, Issue No. 4494 on 01 /07/ 2001**

Article 1

This Law shall be called the (Import and Export Law) for the Year 2001, and shall be effective thirty days after the date of publication in the Official Gazette.

Article 2

The following words and expressions, wherever used in this Law, shall have the meanings hereunder assigned to them, unless the context indicates otherwise:

The Ministry: Ministry of Industry, Trade and Supply.

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The goods: Any goods or materials including plant, animal, industrial, and mineral products.

The Competent authority: Any official entity authorized by legislation to the import goods to the kingdom. Or export

Import license: A permit under which goods are imported to the kingdom.

Export license: A permit under which domestic goods are exported, or foreign goods are reexported abroad.

Automatic license: Import or export license issued by the Ministry or the competent authority if conditions and requirements are met.

Non-automatic license: import or export license, which may be issued by the Ministry or the competent authority if the prescribed legal conditions and requirements for granting such license are met.

Importer's card: A document issued by the Ministry to importers registered in the importer's register prepared for that.

Exporter's card: a document issued by the Ministry to exporters registered in its exporter's register prepared for that.

This Article has been amended by adding the definition of (exporter's card) at the end of it under the amending Law No. 18 of 2003.

Article 3

- A. Importing any goods to the Kingdom is unconditionally permitted, subject to submission of importer's card when clearing goods, or paying the fines imposed under regulations issued regarding that.
- B. Exporting or re-exporting any goods from the kingdom is unconditionally permitted, subject to submission of exporter's card.
- C. The following goods are exempted from applying the provisions of Paragraphs (A), (B) of this Article:
 1. Goods that are prohibited to be imported or exported, or their import or export is totally restricted to a specific entity under the provisions of this law.
 2. Goods that their import or export requires obtaining a license under the provisions of this Law.
- D.
 1. Farmers who import agricultural supplies for their farms, are excluded from obtaining importer's card, in addition to those who import goods for personal use.
 2. The following are excluded from obtaining exporter's license:
 - Vegetable and fruit exporters, unless the Council of Ministers decides otherwise
 - Goods exported for personal use.
 - The agricultural product excluded by the Minister.

This Article has been amended by adding the words (subject to the submission of importer's card) at the end of

paragraph (B), as well as deleting the text of Paragraph (D) and replacing it with the current text under the amending Law No. 18 of the year 2003, where the text of Paragraph (D) of this article was:

D: Supplies imported by farmers for their farms' needs, and goods imported for personal use are excluded from obtaining importer's card.

Article 4

Imported or exported goods that are subject to automatic licenses are determined by the Minister.

Article 5

- A. Imported goods that are subject to non-automatic licenses are identified by the Minister or the competent authority in the following cases:
 - 1. If public safety, public health, public order, environment or natural resources safeguard or national security necessities require that.
 - 2. If goods are subject to quantitative restrictions in accordance with the legislation in force or relevant international conventions.
- B. Exported goods that are subject to non-automatic licenses are identified by the Minister or the competent authority.

Article 6

Upon the recommendation of the competent authority, and observing the provisions of relevant international conventions, the Council of Ministers may issue decisions in regard to the following:

- A. Prohibition of importing or exporting any goods.
- B. Limitation of importing or exporting goods (fully or partially) to a particular entity in accordance with the conditions it issues.

Article 7

In case the license is rejected, the Ministry or the competent authority shall notify the applicant of its decision, along with the reason for rejection.

Article 8

Import or export licenses are valid for one year, except for those issued for goods subject to quantitative restrictions, where they expire upon completion of importing the defined quantity, provided that it doesn't exceed one year.

Article 9

Import or export license is personal. It may not be assigned (transferred) or waived unless an approval is obtained from the competent authority, subject to transfer or waiver legal conditions.

Article 10

- A. Upon a decision of the issuing authority, import or export licenses shall be revoked in any of the following cases:
 - 1. If the Council of Ministers prohibits importing or exporting goods or limits importing or exporting to a particular entity, except for goods contracted before the date of either decision.
 - 2. If the competent authority prohibits importing or exporting goods because they are prevented to be traded by the applicable legislation.
 - 3. If the license owner failed to meet the conditions for obtaining it.

- B. The competent authority shall refund the fees it deducted against issuing cancelled licenses under the provisions of Paragraph (A) of this Article, except as provided in item (3) thereof.
- C. License cancellation decision shall be subject to appeal to the Supreme Court of Justice.

Article 11

The competent authority shall publish any instructions, regulations and decisions it issues in the Official Gazette, specifying the date of their entry into force, pursuant to the provisions of this law or regulations.

Article 12

Upon the Minister's replacement, the Council of Ministers shall issue the necessary regulations to implement the provisions of this law including the following:

- A. Provisions for procedures, terms and requirements for granting import and export license, identifying data contained in this license and exemption cases from obtaining them.
- B. The amount of fees deducted against issuing import and export license, exemption cases, and provisions of importer's and exporter's card and register in the importer's register.
- C. The period defined to decide on license issuance applications.

This Article has been amended by adding the words (and exemption cases from obtaining them) at the end of paragraph (A) thereof, and deleting the words (and the importer's card, and register in the importer's register). contained in Paragraph (B) thereof, and replacing it with (and provisions relating to importer's card, exporter's card and register in the exporters registry) under the amending Law No. 18 of 2003.

Article 13

Import and Export Law No. (14) of 1992 shall be deleted; whereas, current related applicable regulations, instructions and decisions are still valid until they are replaced with others within a period not exceeding three months from the date of this law's entry into force. Any text set out in any other legislation contradicting the provisions of this law are not applicable.

Article 14

The Prime Minister and the Ministers are assigned to implement the provisions of this law.

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