

DRC REGULATIONS



- Waiver Control - FERI (Fiche Electronique de Renseignement à l'Importation)
- Pre-Shipment Inspection
- Prohibited Imports
- Restricted Imports



DRC >> Regulation Overview

Waiver Control

Type

The compulsory FERI (Fiche Electronique de Renseignement à l'Importation) certificate is available via the internet.

Only OGEFREM or its agents have the authority to issue loading certificates. Each bill of lading must have a corresponding loading certificate. Without a loading certificate, cargo will not be cleared. Each loading certificate has a specific serial number that is duly signed, dated and stamped by the authorized OGEFREM agent.

General Agent

Office de Gestion de Fret Maritime de la République Démocratique du Congo (OGEFREM)
42, Avenue Kalemie - Comune de la Gombe
B.P. 8038 - KINSHASA I - RDC
Tel +243 815015327
Fax +243 815563480
Website: www.ogefrem.net

Representative Agents

Please view: <http://85.18.73.209/ldb/agentlist.jsp> for a list of global agents who can supply the FERI.

CMA CGM trained staff members are available to assist customers in all aspects of the documentary requirements of the trade to the Democratic Republic of Congo. Please contact your local agency office for advice.

Pre-Shipment Inspection

Pre-Shipment Inspection of imports for the Democratic Republic of Congo (DRC) is mandated by the DGDA (Direction Générale des Douanes et Accises) and OCC (Office Congolais de Contrôle), Ministry of Commerce.

For BIVAC's information sheet on the '[Programme de Vérification des Importations \[PVII\] in DRC please click here.](#)

List of goods exempted from PSI

- Imports with a FOB value below USD 2 500
- Weapons, ammunitions imported by the Administration
- Live animals
- Fresh eggs
- Fruits, vegetables, fish and meat, fresh or refrigerated (neither frozen or deep frozen)
- Current newspapers and periodicals
- Re-imports without modification
- Personal effects and moves, including motorised vehicles imported by residents returning to their country
- Post parcels without commercial value
- Commercial samples
- Donations by foreign governments or international organizations to foundations, charities and humanitarian organizations declared of Public Utility
- Personal gifts
- Donations by foreign governments or international organizations or private persons in case of disaster
- Gifts and supplies imported by diplomatic entities, by United Nations entities or other NGOs having customs taxes exemptions, for their own use
- Goods purchased with donations and external resources, including loans
- Used motor vehicles of more than 6 months old from the date of 1st registration (or the date of production if the vehicle has not been registered) to the transport document date.

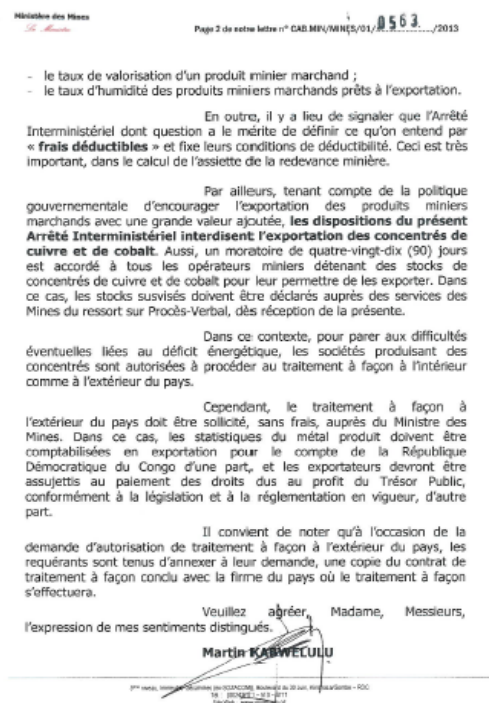
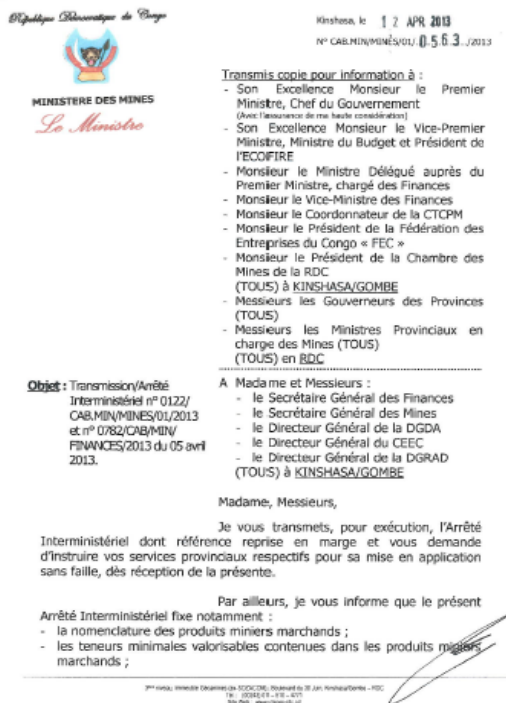
The information given has been given in good faith and believed to be correct at the time of writing.
Please verify these facts with other relevant sources before using this as the basis of any action taken as we regret we cannot accept liability for any consequences due to inaccuracies in this information.

Prohibited Imports

- All foodstuffs and beverages containing saccharin, dulcin and sodium cyclamate as sweeteners. (Ministerial Order n°13/CAB/NCB/96 dated October 11th 1996)
- Pharmaceuticals with an expiry date < 2 years (Ministerial Order n°1250/CAB/S/C12/RM/2004 dated April 24th 2004)
- The following pharmaceuticals put up in the following forms (Ministerial Order n°1250/CAB/MIN/SP/069/CJ/OMK/2010 dd. 06/12/2010:
 - Amoxicillin in capsule and powder
 - Cipropradine in tablet and syrup
 - Contrimoxazole in powder
 - Mebendazole in powder and tablet
 - Metronidazole in powder and tablet
 - Paracetamol in tablet and syrup
 - Quinine in capsule, tablet, syrup and liquid
- Foodstuff originated from Japan, following the earthquake and tsunami in Japan on March 11, 2011, causing radiation contamination in the regions of Fukushima, Ibaraki, Tochigi and Gunma (Official
- Communiqué dd. 13/4/2011 from the ministry of Commerce.
- Imports of alcoholic beverages with an alcohol content above 45 pct.
- The following motor vehicles: i) Passenger cars and minibuses (less than 10 seats) of more than 10 years; ii) Commercial motor vehicles and Buses (more than 10 seats) of more than 7 years; iii) Trucks of more than 10 years... the age of the vehicle being computed from the year of production.

DRC Government Bans Copper And Cobalt Concentrates – April 2013

DRC has banned exports of copper and cobalt concentrates. The export ban is intended to encourage more value-added production in Congo, according to an order from the country's mining ministry. Dated April 5, it includes a 90-day grace period.



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ARRÊTE INTERMINISTÉRIEL N° 012/2012/CAB.MIN/MINES/01/2013 ET N° 012/2012/CAB.MIN/FINANCES/2013 DU 11 AOÛT 2012 PORTANT RÉGLEMENTATION DES EXPORTATIONS DES PRODUITS MINIER MARCHANDS

LE MINISTRE DES MINES

ET

LE MINISTRE DÉLÉGUÉ AUPRES DU PREMIER MINISTRE, CHARGE DES FINANCES,

Vu la Constitution, telle que modifiée et complétée à ce jour, spécialement son article 93 ;

Vu la Loi n°007/2002 du 11 juillet 2002 portant Code Minier ;

Vu la Loi n°11/011 du 13 juillet 2011 relative aux Finances Publiques ;

Vu l'Ordonnance-Loi n°76/150 du 16 juillet 1976 fixant le Plan Comptable Général Congolais ;

Vu le Décret n°038/2003 du 26 mars 2003 portant Règlement Minier ;

Vu l'Ordonnance n°12/007 du 11 juillet 2012 portant organisation et fonctionnement du Gouvernement, modalités pratiques de collaboration entre le Président de la République et le Gouvernement ainsi qu'entre les membres du Gouvernement ;

Vu l'Ordonnance n°12/008 du 11 juin 2012 fixant les attributions des Ministères spécialement son article 1^{er} B points 6 et 14 ;

Vu l'Ordonnance n°12/004 du 28 avril 2012 portant nomination des Vices-Premiers Ministres, des Ministres, d'un Ministre Délégué et des Vice-Ministres ;

Vu tel que modifié et complété à ce jour, l'Arrête Ministériel n°3163/CAB.MIN/MINES/01/2007 du 11 Août 2007 portant réglementation des activités de l'entité des traitements et de l'entité de transformation des substances minérales ;

Article 2 :

Les conditions de déductibilité de ces frais sont les suivantes :

• **Frais de transport :**

Les frais de transport ne sont déductibles que s'ils sont réalisés à l'intérieur du territoire national.

Cependant, les exportations étant réalisées FOB, les frais de transport encourus jusqu'au port d'embarquement sont déductibles, sous réserve de la présentation d'une déclaration de transit levée auprès des Services de douanes du pays de transit.

• **Frais de commercialisation :**

Les frais de commercialisation sont déductibles, lorsque les prestations y relatives sont réalisées sur le territoire national.

• **Frais d'assurance :**

Les frais d'assurance déductibles sont ceux qui couvrent les produits miniers marchands à la vente jusqu'au port d'embarquement.

• **Frais d'analyse :**

Les frais d'analyse déductibles sont ceux se rapportant au contrôle de qualité du produit minier marchands à la vente, effectué par un laboratoire d'analyse agréé par le Ministre des Mines.

Article 3 :

La vente des produits miniers marchands peut se réaliser à l'intérieur du pays ou à l'étranger.

Toutefois, les exportations des produits miniers marchands sont autorisées sous réserve de se conformer à la nomenclature reprise dans le tableau en annexe.

Article 4 :

Les teneurs minimales des substances minérales valorisables contenues dans les produits miniers marchands sont fixées dans le tableau en annexe au présent Arrête.

Article 5 :

Le taux de valorisation d'un produit minier marchand repris dans le tableau en annexe au présent Arrête est un coefficient qui renseigne sur le niveau de perfectionnement dans l'élaboration des substances valorisables qui y sont contenues.



Vu tel que modifié et complété à ce jour, l'Arrête Ministériel n°3163/CAB.MIN/MINES/01/2007 du 11 Août 2007 portant réglementation des activités de l'entité des traitements et de l'entité de transformation des substances minérales ;

Considérant la nécessité de mettre en œuvre la politique gouvernementale visant à encourager l'exportation des produits miniers marchands avec une grande valeur ajoutée ;

Considérant la nécessité de mettre à la disposition des Institutions et des Services Publics de l'Etat ainsi que des opérateurs miniers une nomenclature appropriée des produits miniers marchands conforme aux standards du marché international ;

Vu la nécessité et l'urgence ;

ARRETTENT :

Article 1^{er} :

Aux termes du présent Arrête, on entend par :

a) **Produits miniers marchands :** toutes substances minérales, sous quelque forme que ce soit, extraites en vertu des droits miniers et/ou des carrières d'exploitation et/ou tous produits élaborés à partir de ces substances dans les usines de concentration, de traitement ou de transformation à des fins commerciales, en ce comprises les substances minérales provenant de l'exploitation artisanale ;

b) **Frais déductibles :** des frais liés à la vente des produits miniers marchands et considérés légalement comme déductibles dans la détermination de l'assiette de la redevance minière. Il s'agit de :

- Frais de transport ;
- Frais d'analyse se rapportant au contrôle de qualité du produit marchand à la vente ;
- Frais d'assurance ;
- Frais de commercialisation.

Tous ces frais ne peuvent comprendre les impôts, taxes, et toutes autres formes d'imposition ou de rémunération au profit des Services ou Organismes Publics.



Article 6 :

Nul ne peut exporter des produits miniers marchands dont le taux d'humidité est supérieur à 25%.

Le taux d'humidité dont question ci-dessus est déterminé par tout laboratoire agréé par le Ministre des Mines.

Article 7 :

Les exportations des concentrés de cuivre et de cobalt sont interdites.

Toutefois, un moratoire de quatre-vingt dix (90) jours est accordé à tous les opérateurs miniers détenant des stocks de concentrés de cuivre et de cobalt pour les évacuer.

La teneur de ces concentrés doit être conforme à celle reprise dans le tableau en annexe.

Article 8 :

Toute violation des dispositions du Présent Arrête sera sanctionnée conformément aux prescrits du Code Minier, spécialement en son article 296.

Article 9 :

Les Secrétaires Généraux des Mines et des Finances, les Directeurs Généraux du CEEC, de la DGRAD et la DGDA sont chargés, chacun en ce qui le concerne, de l'exécution du présent Arrête.

Fait à Kinshasa, le 15 Aout 2012

LE MINISTRE DÉLÉGUÉ AUPRES DU PREMIER MINISTRE, CHARGE DES FINANCES,

Patrice KITEBI KIBOL MVUL

LE MINISTRE DES MINES,

Martin KABWELULU

Amplifications :

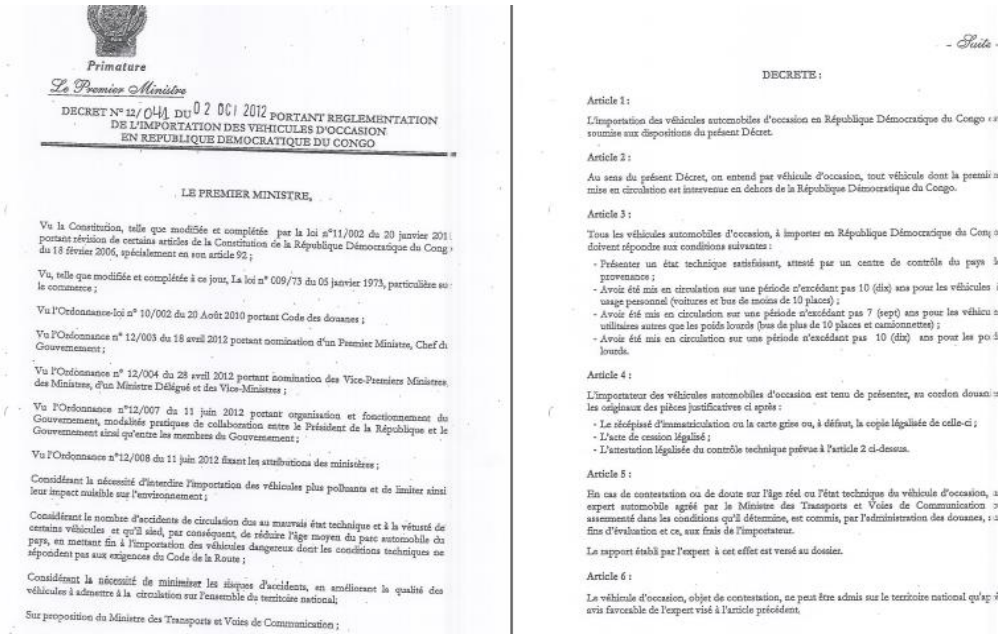
- Cabinet du Président de la République
- Cabinet du Premier Ministre
- Cabinet du Ministre des Mines
- Cabinet du Ministre des Finances
- Secrétaire Général des Mines
- Secrétaire Général des Finances
- CEEC
- DGRAD
- DGDA

DRC Government Bans The Import Of Used Vehicles In Circulation Before 2002 – Nov 2012

According to a decree signed on 02/10/12 by the Prime Minister Matata Ponyo, the Congolese Government has banned the importation of second-hand cars brought into circulation before 2002. This measure, effective

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02/12/12, will reduce the impact of vehicle pollutants on the environment. Any used vehicles prior to 2002 will be either re-exported or destroyed at the time of its release at the expense of the freight forwarder or the carrier.



Restricted Imports

Items submitted to authorization:

- Coins
- Commemorative coins
- Bank notes
- Second-hand materials intended for investment
- Weapons, ammunitions
- Explosives
- Used motor vehicles must comply with the following age requirements: i) Passenger cars and minibuses (less than 10 seats) must not complete more than 10 years; ii) Commercial motor vehicles and Buses (more than 10 seats) must not complete more than 7 years; iii) Trucks must not complete more than 10 years... the age of the vehicle being computed from the year of production.

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IMPLANTATIONS BUREAU VERITAS - BIVAC EN REPUBLIQUE DEMOCRATIQUE DU CONGO

KINSHASA

Siege du LO:

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☎ + 243 9 90 03 6911

Direction : Jean-Michel PERRET

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✉ jean-michel.perret@fr.bureauveritas.com

GOMA

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Responsable : Dodo LENDE

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✉ dodo.lende@cd.bureauveritas.com

LUBUMBASHI

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Lubumbashi-ville

Responsable : Nicolas MAZURIE

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BOMA

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432 Av. Mobutu C/Nzadi centre ville

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BUKAVU

Siege de l'Agence :

Immeuble BCDC

Responsable : Christine BAMUSUNDI

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Responsable : Danny Mburano

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✉ danny.mburano@cd.bureauveritas.com



**BUREAU
VERITAS**

PRE-SHIPMENT INSPECTION OF IMPORTS FOR THE DEMOCRATIC REPUBLIC OF CONGO (DRC)

1. Pre-Shipment Inspection (PSI) mandate

IS THE COUNTRY A MEMBER OF THE WTO ?:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
MANDATE AUTHORISED BY:	<i>DGDA (Direction Générale des Douanes et Accises) and OCC (Office Congolais de Contrôle), Ministry of Commerce.</i>
APPLICABLE REGULATION(S):	<i>Interministerial decree No. 106/CAB/MIN/FINANCES/2006 and No. 004/CAB/140/MIN.CE/2006 dd. 16/10/2006. Ministerial Decree No. 1250/CAB/MIN/SP/009/CJ/2013 dd. 18/07/2013, concerning the renewal of the ban on importation of pharmaceuticals; Instruction No. DGDA/DG/DV/DGA.T/DG/006/2013 dd. 17/10/2013, concerning the valuation of motor vehicles imported into DRC.</i>
APPOINTED PSI COMPANY (IES):	<i>BUREAU VERITAS BIVAC BV.</i>
SCOPE OF DUTIES:	<input checked="" type="checkbox"/> <i>Quality, Quantity</i> <input checked="" type="checkbox"/> <i>Export market price (for foreign exchange purposes)</i> <input checked="" type="checkbox"/> <i>Export market price (for Government information purposes)</i> <input checked="" type="checkbox"/> <i>Customs classification per item</i> <input checked="" type="checkbox"/> <i>Value for Customs purposes (based on GATT Valuation Code)</i> <input checked="" type="checkbox"/> <i>Assessment of import duties and taxes</i> <input type="checkbox"/> <i>Import eligibility (done by the OCC)</i>
MINIMUM VALUE SUBJECT TO PSI:	<i>USD 2 500.</i>
PART SHIPMENTS:	<i>Allowed.</i>
EXEMPTIONS FROM PSI:	<i>YES (see the attached list, section 7).</i>

2. Pre-Shipment Inspection Order (P.I.O.) - The instruction for BIVAC to inspect

P.I.O. NAME:	<i>LIB (Licence d'Importation de Biens).</i>
ISSUED BY:	<i>Banque Centrale du Congo (all commercial banks can register PIOs).</i>
VALIDITY:	<i>1 year, renewable one time for 6 months.</i>
AMOUNT BY WHICH P.I.O. VALUE MAY BE EXCEEDED:	<i>10 %.</i>
CHANGES FROM SEA TO AIR:	<i>with the importer's agreement.</i>
DESTINATION INSPECTION:	<i>Not allowed (Currently Performed only by the Office de Contrôle Congolais – OCC, but without issuance of a PSI certificate).</i>

3. Inspection requirements/restrictions

SEALING OF F.C.L.CONTAINERS	YES.
SECOND-HAND GOODS:	<i>Allowed, provided it is described as such in the LIB. Used motor vehicles of more than 6 months old from the date of 1st registration to the transport document date are exempted from pre-shipment inspection if they fulfil the requirements on age for the importation of used motor vehicles (see section 8).</i>
PROHIBITED IMPORTS:	See Section 8.
RESTRICTED IMPORTS:	See Section 9.
LABELLING REQUIREMENTS:	<p># <i>Pharmaceuticals: as per Ministerial Order n°1250/CAB/S/C12/RM/2004 dd. 24/04/2004, individual packages must show the Name of the product, Qualitative and Quantitative composition per dose or in percentage, Batch number, Name and address of the manufacturer, Manufacture and expiry dates, Storage instructions if any.</i></p> <p><i>The following information should appear on each ampoules and small pharmaceutical containers Product name, Quantity of active principle, Route of administration, Manufacture and expiry dates.</i></p> <p><i>Required information must be written in French or English.</i></p> <p><i>Pharmaceuticals manufactured in India must necessarily be identified by the Name of the manufacturer and the Manufacturer's licence number (Ministerial order 1253/P/DNM/461/2010 dd. 24/09/2010).</i></p> <p># <i>Tobacco products: labels to show the tar and nicotine content as well as the following health warning: "Smoking is dangerous for health" (Fumer est préjudiciable à la santé),</i></p> <p># <i>Alcoholic beverages: labels to show the alcohol content in volume or percentage.</i></p>
OTHER SPECIAL REQUIREMENTS:	<p># <i>Salt must be iodised in the following proportion at least: 40 ppm of iodine or 66 mg/Kg of potassium iodate (Ministerial Order n° CAB/MIN/ECO/ICPME/SP/APE/2003 dd. 16/05/2003),</i></p> <p># <i>Dried and salt fish should comply with the following specifications (Presidential Order n°86/121 dd. 18/04/1986):</i></p> <ul style="list-style-type: none">▪ Low fat fish: <i>Humidity <= 35%; Total volatile basic nitrogen (TVBN) <= 100 mg % Absence of mould</i>▪ Fatty fish: <i>Humidity <= 40% Total volatile basic nitrogen (TVBN) <= 100 mg % Absence of mould</i>▪ Selachian fish: <i>Humidity <= 30% Total volatile basic nitrogen (TVBN) <= 500 mg % Absence of mould</i>

OTHER SPECIAL REQUIREMENTS (Cont'ed)

- # *All import of chemicals or biological products must be accompanied by its corresponding Material Safety Data Sheet (MSDS).*
- # *It is compulsory that all alcoholic beverages are packaged in bottles suitable for alimentary use, in glass and/or polyethylene terephthalate (PTE)*
- # *Automotive vehicles must observe the legal requirements of safety, manufacture and roadworthiness. They must enter the customs territory of the Democratic Republic of Congo with the document proving ownership, year of production and roadworthiness.*

4. Price verification/Seller's invoice requirements

BUYING/CONFIRMING COMMISSIONS: *No restriction. Must be declared whenever applicable*

INSURANCE: *No restriction*

FINANCIAL INTEREST: *No restriction.*

FINAL INVOICE TO SHOW: *Breakdown of FOB, freight and insurance charges (where applicable).*

By line item: detailed product description, including product name, trademark, model and characteristics (where applicable) and origin.

5. Reporting requirements

FINAL DOCUMENTS REQUIRED BY :

BUREAU VERITAS TO ISSUE REPORT: *Final invoice and transport documents (BL/LTA), plus for used motor vehicles, the following documents: Vehicle Registration certificate and Valid and satisfactory Technical Inspection Certificate issued by authorized Technical Inspection Centres in the country of supply of the vehicle.*

TYPE OF REPORT ISSUED: *AV (Attestation de verification) or ARA (Attestation de Refus d'Attestation), certified invoice.*

REPORT PURPOSE:

- *A certified invoice is given to seller/exporter for payment purposes upon his request.*
- *An AV is supplied to the OCC, which transmits it to the importer for customs clearance.*
- *An ARA is given to the OCC, which transmits it to the importer in case of quality/quantity discrepancies.*

6. Inspection fees

Paid by the IMPORTER to the bank. Payment to BIVAC ordered by OCC.

Nevertheless, Bureau Veritas/BIVAC may invoice the Seller in the event of supplementary inspection visits (in vain or unsatisfactory results). The costs incurred by the Seller in presenting the goods for inspection, such as unpacking, handling, testing, sampling, repacking... are for the account of the Seller.

7. List of goods exempted from PSI

- Imports with a FOB value below USD 2 500;
- Weapons, ammunitions imported by the Administration;
- Live animals;
- Fresh eggs;
- Fruits, vegetables, fish and meat, fresh or refrigerated (neither frozen or deep frozen);
- Current newspapers and periodicals;
- Re-imports without modification;
- Personal effects and moves, including motorised vehicles imported by residents returning to their country;
- Post parcels without commercial value;
- Commercial samples;
- Donations by foreign governments or international organizations to foundations, charities and humanitarian organizations declared of Public Utility;
- Personal gifts;
- Donations by foreign governments or international organizations or private persons in case of disaster;
- Gifts and supplies imported by diplomatic entities, by United Nations entities or other NGOs having customs taxes exemptions, for their own use.
- Goods purchased with donations and external resources, including loans.
- Used motor vehicles of more than 6 months old from the date of 1st registration (or the date of production if the vehicle has not been registered) to the transport document date.

8. List of prohibited goods

- All foodstuffs and beverages containing saccharin, dulcin and sodium cyclamate as sweeteners. (Ministerial Order n°13/CAB/NCB/96 dated October 11 th 1996)
- Pharmaceuticals with an expiry date < 2 years (Ministerial Order n°1250/CAB/S/C12/RM/2004 dated April 24th 2004)
- The following pharmaceuticals put up in the following forms:
Ministerial Decree No. 1250/CAB/MIN/SP/009/CJ/2013 dd. 18/07/2013:
Quinine in capsule, tablet, syrup and liquid
- Foodstuff originated from Japan, following the earthquake and tsunami in Japan on March 11, 2011, causing radiation contamination in the regions of Fukushima, Ibaraki, Tochigi and Gunma (Official Communiqué dd. 13/4/2011 from the ministry of Commerce.
- Imports of alcoholic beverages with an alcohol content above 45 pct.
- The following motor vehicles: i) Passenger cars and minibuses (less than 10 seats) of more than 10 years; ii) Commercial motor vehicles and Buses (more than 10 seats) of more than 7 years; iii) Trucks (which GVW is more than 3.5 tons) of more than 10 years; iv) Ambulances and hearses of more than 10 years... the age of the vehicle being computed from the date of 1st registration or if missing, from the date of production, to the transport document date.

9. List of restricted goods

Items submitted to authorization:

- Coins;
- Commemorative coins;
- Bank notes;
- Second-hand materials intended for investment;
- Weapons, ammunitions;
- Explosives.

10. List of restricted goods (Cont'ed)

- *Used motor vehicles must comply with the following age requirements: i) Passenger cars and minibuses (less than 10 seats) must not complete more than 10 years; ii) Commercial motor vehicles and Buses (more than 10 seats) must not complete more than 7 years; iii) Trucks (which GVW is more than 3.5 t) must not complete more than 10 years; iv) Ambulances and hearses must not complete more than 10 years... the age of the vehicle being computed from the date of 1st registration or if missing, from the year of production, to the transport document date.*

11. Other relevant information

Not available yet.

12. Geographical inspection zones

Worldwide.

The information contained herein is for the purpose of facilitating Pre-Shipment Inspection and does not relieve Exporters or Importers from their obligations in respect of compliance with the import regulations of the country of importation. Although every effort has been made to ensure the correctness of the information, as at the date of issuance of this data sheet, BIVAC International does not accept any responsibility for errors or omissions and, furthermore, the information may subsequently be subject to change as may be announced by the Authorities in the country of importation. Consequently, Exporters are advised to check with Bureau Veritas/BIVAC, prior to shipment of the goods, if there is any doubt concerning the issuance of a Clean Report of Findings.