

Extract from Customs and Excise Act (as at 22nd November 2018)

115 Payment of duty in foreign currency

(1) The Minister may, notwithstanding section 41 of the Reserve Bank of Zimbabwe Act [*Chapter 22:15*] or anything provided by or under the Exchange Control Act [*Chapter 22:05*] require every person, including a resident of Zimbabwe, who imports any item of goods (hereafter in this section called a “foreign currency dutiable item”) designated by the Minister by notice in a statutory instrument to be a foreign currency dutiable item, to pay any duty and import or value-added tax payable on such item in United States dollars (or in the case where the value or cost of any item is expressed in the currency of a foreign country, other than the United States dollar, the value or cost shall be converted to United States dollars at the international cross rate of exchange of that currency for the United States dollar prevailing on the day of the conversion):

Provided that where any amount of duty and import or value- added tax thus payable may require payment to be made in coins, the Commissioner is authorised to increase or reduce the amount to the nearest figure to enable payment to be made in notes only.

(2) Section 39 applies to foreign currency dutiable items as it applies to other goods in the event of default of entry thereof, except that, notwithstanding section 41 of the Reserve Bank of Zimbabwe Act [*Chapter 22:15*] or anything provided by or under the Exchange Control Act [*Chapter 22:05*], bids at a sale by public auction of foreign currency dutiable items conducted in terms of section 39(2) shall be made in United States dollars, euros or any other currency denominated under the Exchange Control (General) Order, 1996 (Statutory Instrument 110 of 1996):

Provided that where a foreign currency other than the United States dollar is used for the purposes of this subsection, the duty and import or value-added tax due shall be calculated by converting that foreign currency into United States dollars at the international cross rate of exchange of that currency for the United States dollar prevailing on the day of the conversion.

(3) The Minister may, in terms of subsection (1), designate all items in the customs tariff to be foreign currency dutiable items.