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GENERAL AGREEMENT ON TARIFFS AND TRADE

Committee on Balance-of-Payments Restrictions

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1985 CONSULTATIONS WITH GHANA UNDER ARTICLE XVII:12(b)

STATEMENT SUBMITTED BY GHANA UNDER THE SIMPLIFIED PROCEDURES FOR CONSULTATIONS

I. Legal and administrative basis of the import restrictions

The Imports and Exports Act of 1980 (Act 418) empowers the Provisional National Defence Council (PNDC) Secretary for Trade as the Controller of Imports and Exports to prohibit, restrict and regulate the importation of goods into Ghana in the manner which is consistent with foreign exchange availability in relation to the needs of the country.

The main purpose of the restrictions is to protect the overall balance-of-payments position of the country. Consequently, under the Act, the PNDC Secretary for Trade may issue the following types of import licences:

(a) Specific Licence: permits an importer to order and bring into Ghana goods specified in the Specific Licence for commercial purposes or otherwise as specified on the licence. The licence also entitles the importer to seek through his bankers, the approval of the Bank of Ghana for foreign exchange for the payment of goods.

(b) Special Licence: this also permits an importer to order and bring into Ghana goods specified in the Special Licence for which no transfer of foreign exchange from Ghana will be required for the payment of goods. However, each time an importer wants to import goods under the Special Licence he would have to pay 20 per cent of the value of the goods to be imported as income tax pre-payment. The importer is also required to pay 10 per cent Special Sales Tax in addition to the 30 per cent import duty and 20 per cent sales tax normally imposed on the c.i.f. value of the goods actually imported on landing the goods at the port of entry.

(c) Open General Licence: Generally this licence permits an importer to bring into Ghana goods specified on the licence and does not require any further authorization from the PNDC Secretary for Trade. It is put into operation only when the country's resources can support such uncontrolled importation.

The implementation of the provisions of this Act is subject to the making of regulations by the PNDC Secretary for Trade.

II. Methods used in restricting imports

The instrument used for the direct regulation of imports is the import licensing system. The Government prepares an annual import programme covering all sectors of the economy. The programme is implemented through the issue of import licences to importers who are registered to participate in the import trade. For the purposes of the present Act, all imports are prohibited unless otherwise covered by the following:

(a) Specific Licence (b) Special Licence (c) Open General Licence.

However, goods under any of the following headings can be impo[illegible] without an import licence:

(a) Bona fide trade samples or advertising materials provide[illegible] are not excessive in relation to the nature of the goods concerned.

(b) Personal or household effect of crew or passengers arriving in Ghana provided the importers are in possession of completed [illegible]rs Unaccompanied Baggage Declaration forms, where appropriate; [illegible]ddressed to individuals, provided they are unsolicited gifts imported as merchandise and that the weight or value does not exceed 10 kg. gross or ¢1,000.00 cedis respectively.

(d) Single copies of books, newspapers, magazines and periodicals;

(e) Live animals not exceeding two, imported as domestic pets and not for sale;

(f) Single headloads of foodstuffs from the Ivory Coast, Burkina Faso or Togo for personal use or for sale;

(g) Fresh or frozen fish caught by Ghanaian owned vessels (Statistical Nos.031-011 and 031-190);

(h) Goods imported under a re-importation certificate issued by the Comptroller of Customs and Excise;

(i) One open bottle of wine or spirits and 500 grams of tobacco or cigarettes (ie. 50 cigars or 400 cigarettes) per adult.

Import licences granted are valid for the importation of goods shipped on or before the expiry of the validity date indicated on the licence.

Goods imported without valid import licence are liable to seizure and forfeiture.

III. TREATMENT OF IMPORTS FROM DIFFERENT COUNTRIES:

In line with Ghana's official foreign policy of non-discrimination and positive neutrality, Ghana does not discriminate in her choice of source of supply. The country purchases from where she will derive the maximum benefit. However, in view of the apartheid policy of the Republic of South Africa, Ghana has no trading links at all with that country and Namibia (South West Africa).

Ghana has also entered into bi-lateral trade agreements with a number of centrally planned economy countries of Eastern Europe and the Republic of Cuba. These countries include Bulgaria, German Democratic Republic, Poland, Romania, Czechoslovakia, Yugoslavia and China.

Similarly, Ghana maintains bi-lateral trade agreements with Brazil, India and the following African countries: Algeria, Angola, Benin, Guinea, Ivory Coast, Mali, Niger, Senegal, Swaziland and Togo, Burkina Faso. These agreements are made either to facilitate frontier trade or to promote trade and economic co-operation between Ghana and the countries concerned through the operation of joint commissions and are not intended in any way to discriminate against any particular country.

IV. COMMODITIES AFFECTED BY THE VARIOUS FORMS OF IMPORT RESTRICTIONS:

Importation of all eligible goods in Commercial quantities require Specific Licence or Special Licence. The Imports and Exports (Special Licence) Regulations, 1980 (LI.1248) have been revoked and replaced with Import and Exports (Special Licence) Regulations, 1985 (LI.1314) - See Appendix I. Goods prohibited to be imported under Special Licence include Cigarettes, Beer, Stout, Asbestos or fibre cement roofing sheets and asbestos or fibre cement pipes. Applications for licences for the importation of restricted items are considered in exceptional circumstances, such as to supplement local production.

V. STATE TRADING OR GOVERNMENT MONOPOLY USED AS A MEASURE TO RESTRICT IMPORTS FOR BALANCE OF PAYMENTS REASONS.

One of the biggest organizations engaged in general import trade is the State-owned Ghana National Trading Corporation. It is registered to engage in trading activities alongside other private-owned commercial concerns. There is no monopoly in this area of economic activity.

However, some socially sensitive imports are handled by the Ghana National Procurement Agency while major imports for the public sector are generally handled by the Ghana Supply Commission. The Ghana National Procurement Agency was established for bulk importation purposes for some basic items like sugar, wheat, rice, clinker, cooking oil etc. The Agency's responsibilities cease with the arrival of the goods in the country. It is therefore not involved in direct distribution of goods. The GNPA uses the open tender system as a basis for concluding contracts.

VI. MEASURES TAKEN SINCE LAST CONSULTATION IN RELAXING OR OTHERWISE MODIFYING RESTRICTIONS

The restrictions are being relaxed gradually through the use of macro-economic and structural adjustment policies of realignment of exchange rates, import liberalization, prices and income policy, fiscal and monetary policies, special incentives for the productive sectors and the promulgation of an investment code.

The Exchange Rate policy is flexible. The rate is subject to adjustments that reflect the underlying economic and financial conditions. The purpose is to realign relative prices that will remove resource allocation and price distortions that discourage productive investment and exports. Since 1983 the exchange rate has been subject to a series of adjustments that brought the exchange rate from $1.00 = ¢2.75 in 1983 to $1.00 =¢60.00 in 1985.

There has been gradual liberalisation of controlled prices to reflect realistic cost and profit margins. Any price increases resulting from exchange rate alignment, including the price of petroleum products, are passed on to consumers. Adjustment in incomes are held within the constraints of targeted government expenditure. Tax restructuring is effected to enlarge the tax-paying groups in order to increase government revenue. Monetary policy now hinges around the use of interest rate to mobilise domestic resources and effect use of scarce investment funds.

Deposit rate now stands at 17 per cent and the lending rate at 22.5 per cent reflecting realistic positive interest rates.

In addition to these macroeconomic policies, special incentives have been established to lead to increased production and exports. The producer price paid to the cocoa farmer has been increased from ¢30,000 per tonne for 1983/84 crop season to ¢56,000 for 1984/85 crop representing 50% of the world market price. Prices for cotton and tobacco have also been increased to boost domestic production.

An Investment Code was promulgated in July 1985 to attract foreign investment. In the listed priority sectors, the code allows exemption from payment of duties on imported essential plant, equipment and accessories. It permits attractive depreciation and investment allowances and income rebates. It also allows 25% of export earnings to be retained in an external account for the importation of equipment and inputs as well as for the payment of dividends and remittances abroad. - See Appendix II.

VII. EFFECTS OF THE RESTRICTIONS ON TRADE :

Ghana's overall balance of payments has been in fundamental disequilibrium over a considerable period of time. Provisional data attached (Appendix III) indicate that in 1985, available foreign exchange resources including the country's own earnings, inflows under private and official loans and drawings under IMF facilities will amount to $1,392.3 million. Total payments covering debt service, other contractual obligations, services and transfers will amount to $544 million. After allowing for $60 million reduction in arrears, the surplus of receipts over payments which will be available for meeting Ghana's import requirements on CIF basis will amount to $788.3 million. This will be about 18 per cent increase over the 1984 out-turn of $669.5 million.

Export receipts are estimated at $608.8 million in 1985 compared to $565.9 million in 1984, an increase of about 8 per cent. Cocoa exports are expected to rise by about 1 per cent to $383.8 million while non-cocoa exports are expected to rise by about 23 per cent to $225 million in 1985. The modest increase in cocoa receipts is explained by expected fall in the average price of beans from $2,357 per tonne in 1984 to $2,100 per tonne in 1985, a fall of about 12 per cent.

Receipts from gold are projected to fall from $103.3 million in 1984 to $97.6 million in 1985 due to the fall in the average price on the world market. Timber exports are estimated at $30 million in 1985 compared to $21.2 million in 1984. This expected improvement is based on the assumption that supply of inputs will improve during 1985.

Official net inflows of capital in 1985 are estimated at $154.1 million as against $186.7 million in 1984. The reduction is accounted for by a rise in amortization of medium term loans, particularly crude oil loan repayments to Standard Chartered Merchant Bank, London. Private capital net inflows are estimated at $51.1 million in 1985 as against a net outflow of $8.7 million in 1984.

It is estimated that transactions with the IMF will result in a net inflow of $120. million in 1985 while payments of arrears are expected to be reduced by $60 million.

VIII. GENERAL POLICY IN THE USE OF RESTRICTIONS FOR BALANCE-OF-PAYMENT REASONS

The uncertainties in International Trade regarding prices of export of primary commodities and imports of consumer and capital goods and spare parts are compelling reasons for maintaining certain levels of monetary reserves as a cushion against the adverse effects of unexpected deterioration in the terms of trade on the balance of payments. Monetary reserves are used in times of low export earnings in order to maintain critical levels of imports needed to sustain a certain level of economic growth. A minimum level of monetary reserves gives confidence to trading partners that payments would be met on due dates. Monetary reserves are held to ensure continuous flow of imports for at least three to six months. Monetary reserves could be held for investment purposes in favourable times. However, the ability of a country to acquire foreign exchange reserves is externally determined by supply and demand conditions for exports and internally by a government's macroeconomic and structural policies affecting consumption and production.

An important external influence on exports and imports is international prices for primary commodities and capital goods and the mechanism through which prices are transmitted into the economy. The prices determine the volume of exports and imports. Where producer prices for the export commodity are determined by government, the difference between world prices and domestic producer prices is crucial for farmers reaction to price incentives.

Internally, factors inhibiting exports are infrastructural problems especially in respect of transportation to ports and port facilities, use of unproductive obsolete machinery for lack of replacement and spare parts, lack of knowledge of available alternative markets for new export products, local liquidity problems and absence of corrective incentive policies.

Lack of sufficient foreign exchange resources and inadequate foreign aid militate against imports. Also repayment of foreign debt, principal and interest, diverts foreign exchange away from imports.

The restrictions are therefore in the form of prohibitions on imports of certain commodities, issues of import licences and exchange controls. The purpose is to promote local production and ensure judicious use of scarce foreign exchange.

APPENDIX I

L.I. 1314.

IMPORTS AND EXPORTS (SPECIAL LICENCE) REGULATIONS, 1985

IN exercise of the powers conferred on the Secretary responsible for Trade by section 22 of the Imports and Exports Act, 1980 (Act 418) these regulations are made this 8th day of August, 1985.

Importation of goods under Special Licence.

1. (1) Any person may import into Ghana any goods except those specified in the Schedule to these Regulations.

(a) if he has been issued with a Special Licence for the purpose under the Imports and Exports Act, 1980 (Act 418);

(b) if no transfer of foreign exchange through the Bank of Ghana or any commercial bank in Ghana is required; and

(c) in the case of goods imported for commercial purpose or in commercial quantities, if he has been registered under section 1 of the Imports and Exports Act, 1980 (Act 418).

(2) Where the goods to be imported under Special Licence include any dangerous drugs, the importer shall comply with the provisions of section 46 of the Pharmacy and Drugs Act, 1961 (Act 64) in respect of those drugs.

Application for Special Licence.

2. (1) An application for a Special Licence shall be made to the Secretary and shall specify—

(a) the full name and residential or business address of the applicant;

(b) the description of the goods which the applicant wishes to import; and

(c) the quantity, value and statistical number of the goods.

(2) Where the Secretary is not satisfied with any material particular specified in the application for a Special Licence he may refuse to issue the licence.

Inspection of goods.

3. Any goods imported into Ghana for commercial purpose or in commercial quantities under a Special Licence shall be subject to inspection at the port of entry by the Government agency responsible for certifying the quality of goods for local consumption.

Selling price of goods imported under Special Licence.

4. (1) No goods imported under a Special Licence for commercial purposes shall be sold within Ghana except in accordance with the price specified for such goods under the Price Control Decree, 1974 (N.R.C.D. 305).

(2) Subject to the provisions of sub-regulation (1) of this regulation, where no price has been specified under the Price Control Decree, 1974 in respect of any goods imported under a special licence and there is likely to be a delay in the fixing of the price and such delay is likely to cause hardship to the public the Secretary shall determine the price at which the goods shall be sold.

IMPORTS AND EXPORTS (SPECIAL LICENCE) REGULATIONS, 1985

(3) The sale of any goods under sub-regulation (2) of this regulation shall be subject to such conditions as the Secretary may impose.

Special provisions relating to importation of motor vehicles.

5. (1) Any person may under a Special Licence import into Ghana a motor vehicle.

(2) Nothing in these regulations shall be deemed to permit—

(*a*) the importation into Ghana of a motor vehicle by a person who has not attained the age of 18 years;

(*b*) the importation into Ghana of a motor vehicle which is more than four years old reckoning from the date it was first registered outside Ghana;

(*c*) the importation into Ghana of more than one motor vehicle by any one person within any period of four years;

(*d*) the transfer of a motor vehicle imported under these Regulations within the first 2 years of its registration in Ghana.

Exemptions.

6. The provisions of these Regulations shall not apply where the goods imported are for the purposes of—

(*a*) a diplomatic agent or mission; or

(*b*) charity in Ghana.

Penalty.

7. (1) Any person who obtains or is concerned in obtaining a Special Licence by means of fraud or wilful representation shall be guilty of an offence and liable on summary conviction to a fine not exceeding ten thousand cedis or to imprisonment not exceeding five years or both, and any goods in respect of which the offence is committed shall be forfeited to the State.

(2) Any person who without reasonable excuse, the proof of which shall rest on him—

(*a*) imports goods for which a Special Licence is required under these Regulations without having any such licence in respect of those goods;

(*b*) imports or is concerned in importing under a Special Licence goods not of the description specified in the licence;

(*c*) purports or attempts to transfer or endorse an import licence issued in his name to another person; or

(*d*) obstructs any person authorised to carry out an inspection of goods under regulation 3,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding ten thousand cedis or to imprisonment not exceeding five years or both, and any goods in respect of which the offence is committed shall be liable to be seized and forfeited to the State.

IMPORTS AND EXPORTS (SPECIAL LICENCE) REGULATIONS, 1985

8. The Secretary may at anytime by a notice published in the *Gazette* and a national newspaper amend the schedule to these Regulations. Amendment of Schedule.

9. In these Regulations— Interpretation.

"motor vehicle" means motor cycle, saloon car, land-rover, station wagon, truck, van or bus as specified from time to time by the Government.

"Secretary" means the P.N.D.C. Secretary responsible for Trade.

10. The Imports and Exports (Special Licence) Regulations, 1980 (L.I. 1248) are hereby revoked. L.I. 1248 revoked.

SCHEDULE

GOODS PROHIBITED TO BE IMPORTED UNDER SPECIAL LICENCE

	Description of Goods	*Statistical No.*
1.	Cigarettes	112 - 200
2.	Beer	112 - 310
3.	Stout	112 - 320
4.	Asbestos or fibre cement roofing sheets	661 - 831
5.	Asbestos or fibre cement pipes ..	661 - 834

B. W. K. CAIQUO
P.N.D.C. Secretary responsible for Trade

Date of *Gazette* notification: 6th September, 1985.

APPENDIX II

P.N.D.C.L. 116

INVESTMENT CODE, 1985

WHEREAS the Government of the Provisional National Defence Council of Ghana has embarked on an Economic Recovery Programme to redress past decline in the economy of Ghana;

WHEREAS it is considered vital to encourage investment in the Ghanaian economy to enable increased production and productivity for national development, and to enable the exploitation of the immense natural resources of Ghana in a manner conducive to the mutual benefit of investors and the nation, to promote effective employment and the development of skills and technology requisite for the progress of Ghana;

WHEREAS as part of the Economic Recovery Programme, the Government has taken realistic steps to make Ghana's economic environment more competitive for investment;

WHEREAS it is deemed necessary and appropriate for a clear and stable institutional framework to be established for investors to operate within;

WHEREAS it is proposed to offer incentives and guarantees to encourage investment particularly in areas of national priority;

WHEREAS it is deemed expedient to modify the existing laws relating to investment;

WHEREAS the Government has enacted a Petroleum (Exploration and Production) Law, 1984 (P.N.D.C. Law 84) to govern investment in the exploration and production of petroleum;

WHEREAS the Government intends to enact a Minerals Code to update and systematize the law relating to investment in mining activities apart from petroleum; and

WHEREAS investment in all other areas shall be governed by this Code.

NOW THEREFORE in pursuance of the Provisional National Defence Council (Establishment) Proclamation, 1981, this Law is hereby made.

PART I—THE GHANA INVESTMENTS CENTRE

Establishment of the Centre.

1. (1) There is hereby established a body corporate to be known as the "Ghana Investments Centre", (hereinafter referred to as the "Centre"), which shall be an agency of the Government for the encouragement, promotion and co-ordination of investments in the Ghanaian economy.

(2) The Centre shall have perpetual succession and a common seal and may sue and be sued in its own name.

(3) The Centre shall have power for the discharge of any of its functions, to acquire and to hold any movable or immovable property, to dispose of such property and to enter into any contract or other transaction.

P.N.D.C.L. 116.

INVESTMENT CODE, 1985

Object and functions of the Centre.

2. Without limiting the general effect of subsection (1) of section 1, the Centre is empowered to carry out the following functions related to enterprises covered by the provisions of this Code.

(*a*) to collect, collate, analyse and disseminate information about investment opportunities and sources of investment capital, and advise, upon request, on the availability, choice or suitability of partners in joint-venture projects;

(*b*) to identify specific projects and invite interested investors for the implementation of such projects;

(*c*) to initiate and organize promotional activities such as exhibitions, conferences and seminars for the stimulation of investments;

(*d*) to grant approvals for the establishment of enterprises as specified under this Code;

(*e*) to grant approvals which will qualify investors or enterprises for the benefits specified under this Code;

(*f*) to secure all licences, authorities, approvals and permits required to enable any approval granted by the Centre to have full effect;

(*g*) to maintain liaison between investors and Ministries, Government departments, agencies, institutional lenders and other authorities concerned with investments;

(*h*) to monitor and enforce compliance with the terms and conditions of approvals granted under this Code;

(*i*) to approve and keep record of all technoloygy transfer agreements relating to investments under this Code;

(*j*) to do all such other acts as are incidental or conducive to the attainment of the purposes of this Code, including recommending needed changes in legislation to encourage investments, and recommending the simplification of procedures relating to immigration, land acquisition, customs clearance and related matter.

The Board.

3. (1) The governing body of the Centre shall be the Board which shall be responsible for the discharge of the business and functions of the Centre.

(2) The Board shall consist of:

(*a*) a Chairman and six other persons, including a Vice-Chairman and a Chief Executive all of whom shall be appointed by the Council having regard to their sound knowledge or practical experience of matters pertaining to investments in Ghana, or both.

(3) Members of the Board except the Chief Executive shall hold office for a term of three years and shall be eligible for re-appointment; and a member may at any time resign his office by writing addressed to the Council.

Meetings of the Board.

4. (1) The Chairman shall preside at all meetings of the Board and in his absence the Vice-Chairman shall preside.

(2) In the absence of the Chairman and the Vice-Chairman at any meeting of the Board, a member of the Board elected by members present shall preside at that meeting.

(3) The quorum for any meeting of the Board shall be four.

(4) The Board may co-opt any person to act as adviser at any meeting of the Board, so however that no person so co-opted shall have the right to vote on any matter coming before the Board for decision.

(5) Except as otherwise expressly provided under this Code, the Board shall determine the procedures for its meetings.

Committees of the Board.

5. The Board may for the discharge of the functions of the Centre appoint Committees of the Board comprising members of the Board or non-members or both and may assign to them such functions as the Board may determine.

Chief Executive.

6. (1) The Chief Executive shall hold office upon such terms and conditions as the Council may on the advice of the Board determine.

(2) Subject to such general directions as the Board may give on matters of policy, the Chief Executive shall be responsible for the day-to-day administration of the Centre and the implementation of the decisions of the Board.

The Secretary.

7. The Board shall have an officer to be designated the "Secretary" who shall be appointed by the Board to perform the functions of maintaining a Secretariat of the Board and of ensuring accurate records of proceedings and decisions of the Board.

Staffing, functioning and organisation of the Centre.

8. (1) The Centre may from time to time engage such employees, consultants and advisers as may be necessary for the proper and efficient conduct of its business and functions.

(2) The staff of the Centre shall be appointed in accordance with section 17 of the Provisional National Defence Council (Establishment) Proclamation (Supplementary and Consequential Provisions) Law, 1982 (P.N.D.C. Law 42).

(3) The Board may, on the recommendations of the Chief Executive create such departments in the Centre as it may consider necessary for the efficient discharge of the functions of the Centre.

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Certain Financial Provisions Relating to the Centre.

9. (1) The Centre may open and operate bank accounts.

(2) The Government shall provide to the Centre such funds as may be necessary for the efficient discharge of its functions under this Code.

(3) The Centre may levy such fees and charges for its services as may be determined by the Board.

(4) All assets of the Centre and all receipts from activities and transactions under the provisions of this Code as well as receipts from other authorised sources shall be credited to the Centre and may be used for any expenditure or obligations in connection with the performance of its object and functions.

Exemption from Income Tax.

10. The Centre shall be exempt from the payment of income tax.

Transfer of Assets, Liabilities and Staff.

11. (1) All assets, rights, obligations and liabilities of the Ghana Investments Centre established under the Investment Code, 1981 (Act 437) are hereby transferred to the Ghana Investments Centre re-established under this Code.

(2) All persons employed by the Centre immediately before the coming into force of this Code shall, on the coming into force of this Code be deemed to have been duly appointed under this Code, and shall continue to hold office as employees of the Centre.

PART II—PRIORITY AREAS

Activities specified as priority areas.

12. (1) The following categories of activities specified in Part A of each category in this subsection are priority areas of investment and any enterprise obtaining approval to engage in any such activity shall be accorded priority status and qualify for the benefits and incentives specified in Part B in relation thereto and the guarantees in Part 3 of this Code.

A. *Agriculture:*

(*a*) Production, protection, processing and preservation of crops and livestock;

(*b*) Any other agricultural activities, including services, as may from time to time be prescribed.

B. *Applicable incentives and benefits:*

(*a*) Government guarantee of land use for the establishment and operation of the project;

(*b*) requisite permission for importing essential plant, machinery, equipment and accessories required for the enterprise;

(*c*) exemption from payment of customs import duties on plant, machinery, equipment and accessories imported specially and exclusively to establish the enterprise once approved;

(*d*) a corporate income tax rate of forty-five per cent with the allowances and deductions herein below provided:

(i) depreciation or capital allowance on plant, machinery, equipment and accessories to the extent of 100 per cent in the year of investment;

(ii) investment allowance of 10 *per centum*;

(iii) in the case of tree crops and livestock, excluding poultry, an income tax rebate over a three-year period to be specified by the Centre at the following rates:—

75% in the first year;
50% in the second year; and
25% in the third year.

(iv) exemption of staff from payment of income tax relating to furnished accommodation on the farm.

A. *Manufacturing Industries:*

(*a*) manufacturing for export;

(*b*) manufacturing industries that predominantly use local raw materials;

(*c*) manufacturing industries that produce agricultural equipment, machinery, spare parts and machine tools.

B. *Applicable Incentives and Benefits:*

(*a*) requisite permission for importing essential machinery and equipment required for the enterprise;

(*b*) exemption from the payment of customs import duties in respect of plant, machinery, equipment and accessories imported specifically and exclusively to establish the enterprise once approved;

(*c*) investment allowance of seven and a half per cent;

(*d*) depreciation or capital allowances of 40 per cent in the year of investment and 20 per cent in subsequent years.

A. *Construction and Building Industries:*

(*a*) Real Estate Development;

(*b*) Road construction;

(*c*) Any other activity in the construction and building industries as may from time to time be prescribed.

B. *Applicable Incentives and Benefits:*

(*a*) requisite permission for importing essential machinery and equipment required for the enterprise;

(*b*) exemption from the payment of customs import duties on plant, machinery, equipment, accessories (excluding building materials) imported specially and exclusively to establish the approved enterprise;

(*c*) investment allowance of seven and a half *per centum* per annum;

(*d*) exemption of staff from income tax relating to accommodation provided on building or construction site;

(*e*) depreciation or capital allowances of 50 per cent in the year of investment and 25 per cent in subsequent years;

A. *Tourism:*

Enterprises concerned with the development of the Tourist Industry such as tourist accommodation, insofar as these are net foreign exchange earning.

B. *Applicable Incentives and Benefits:*

(*a*) exemption from customs import duties on plant, machinery, equipment and accessories imported exclusively and specifically to establish the approved enterprise;

(*b*) depreciation or capital allowance as follows:

(i) plant and machinery 50 per cent in the year of investment and 25 per cent in subsequent years;

(ii) buildings:—20 per cent in the year of investment and 10 per cent in subsequent years;

(*c*) exemption from taxes and rates levied on building properties for a period not exceeding three years;

(*d*) investment allowance of seven and a half *per centum* per annum.

(2) In addition to the benefits and incentives mentioned in subsection (1) where any enterprise with priority status undertakes or supports a programme of scientific research in Ghana approved by the Centre for the purpose of developing or advancing the said enterprise, the capital expenditure in respect of such research shall be fully deductible.

Deferment and Reduction of Stamp Duty and Income Tax.

13. (1) The Board may grant deferment of payment of stamp duty for a period not exceeding five years where it is satisfied that the circumstances prevailing at the time of the application for the benefit justify such deferment.

(2) There shall be a reduction of the company income tax payable:

(*a*) for enterprises situated within Kumasi and Sekondi-Takoradi Metropolitan areas, a reduction of fifteen *per centum* on the company income tax payable;

(*b*) for enterprises situated within regional capitals other than Accra-Tema Metropolitan area, Kumasi, Sekondi-Takoradi and Wa, a reduction of twenty-five *per centum* on the company income tax payable;

(*c*) for enterprises situated in the rest of the country including Wa, but excluding Accra-Tema Metropolitan area, a reduction of forty *per centum* on the company income tax payable.

(3) The Board may grant a reduction or deferment of income tax payable to enterprises located in areas lacking in basic infrastructure where the enterprise undertakes the costs of such infrastructure.

(4) An enterprise which utilizes Ghanaian labour in preference to imported machinery shall be entitled to an income tax rebate as follows:

(*a*) in the case of agriculture, where an enterprise employs more than twenty Ghanaians, to the value of the Social Security contribution payable in respect of every Ghanaian employee in excess of the first twenty;

(*b*) in the case of manufacturing industries, where an enterprise employs more than one hundred Ghanaians, to the value of the Social Security contribution payable in respect of every Ghanaian employee in excess of the first one hundred;

(*c*) in the case of construction and building industries, where an enterprise employs more than seventy-five Ghanaians, to the value of the Social Security contribution payable in respect of every Ghanaian employee in excess of the first seventy-five.

Foreign Exchange Earning Enterprises.

14. All foreign exchange earning enterprises may be permitted by the Bank of Ghana to retain in an external account under the supervision of the Bank of Ghana a portion of their foreign exchange earnings for use in acquiring spare parts and other inputs required for the enterprise which would otherwise not be readily available without the use of such earnings:

Provided that in the case of a net foreign exchange earning enterprise the Bank of Ghana shall permit the operation of an external account in which may be retained at least 25 per cent of the foreign exchange earnings for acquiring machinery and equipment, spare parts and raw materials as well as for debt service, profit and dividend payments and remittances in respect of quota for expatriate personnel.

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Additional Benefits for Approved Enterprises.

15. Without prejudice to section 12 an enterprise approved under this Code shall be granted the following benefits as appropriate:

(*a*) establishment or manufacturing licence as appropriate;

(*b*) immigrant quota in respect of the approved number of expatriate personnel;

(*c*) personal remittance quota for expatriate personnel from any tax imposed by any enactment on the transfer of external currency out of Ghana;

(*d*) exemption from Selective Alien Employment Tax under the Selective Employment Tax Decree, 1973 (N.R.C.D. 201).

Enterprises Reserved for Ghanaians.

16. Enterprises listed in the Schedule hereto are reserved for Ghanaians, and may not be the subject-matter of applications to the Centre from non-Ghanaians even where they may be regarded as coming within priority areas.

Mining Activities Excluded.

17. Mining activities shall not be governed by this Code.

PART III—PROTECTION OF INVESTMENT AND TRANSFERABILITY OF CAPITAL

Transfer of Dividends, Approved Fees, Capital, etc.

18. Subject to the provisions of this Code, an approved enterprise shall be guaranteed free transferability, through the Bank of Ghana or in the case of the net foreign exchange earning enterprise, through the external account opened with the permission of the Bank of Ghana in freely convertible currency of:

(*a*) dividends or net profits attributable to the investment of such freely convertible currency;

(*b*) payments in respect of loan servicing where foreign loan has been obtained by an approved enterprise;

(*c*) fees and charges in respect of any technology transfer agreement approved under this Code;

(*d*) the remittance of foreign capital in the event of sale or liquidation of the approved enterprise or any interest in the approved enterprise attributable to foreign investment.

Guarantee Against Expropriation.

19. Subject to the provisions of this Code:

(*a*) no enterprise approved under this Code shall be expropriated by the Government;

(*b*) no person who owns, whether wholly or in part, the capital of an enterprise approved under this Code shall be compelled by law to cede his interest in the capital to any other person.

Dispute Settlement.

20. (1) Where any dispute arises between a foreign investor and the Government in respect of any approved enterprise, all effort shall be made through mutual discussions to reach an amicable settlement.

(2) Any dispute between the foreign investor and the Government in respect of an approved enterprise which is not amicably settled through mutual discussions may be submitted to arbitration:

(*a*) in accordance with the rules of procedure for arbitration of the United Nations Commission on International Trade Law, or

(*b*) within the framework of any bilateral or multilateral agreement on investment protection to which the Government and the country of which investor is a national are parties, or

(*c*) in accordance with any other international machinery for the settlement of investment disputes agreed to by the parties.

(3) An approval of any enterprise may specify the particular mode of arbitration to be resorted to in the case of a dispute relating to that enterprise and such specification shall constitute the consent of the Government or any agency thereof and of the investor to submit to that forum.

PART IV—MINIMUM FOREIGN CAPITAL REQUIREMENT AND APPROVAL FOR ESTABLISHMENT OF ENTERPRISE

Minimum Foreign Capital Requirement, etc.

21. (1) No enterprise eligible for foreign participation shall be established or operated by a non-Ghanaian unless there is the investment of foreign capital or an equivalent in capital goods worth at least US$60,000 by way of total equity capital in the case of a joint venture with a Ghanaian partner or an investment of foreign capital or an equivalent goods worth at least US$100,000 by way of total equity capital where the enterprise is wholly owned by a non-Ghanaian.

(2) Subject to subsection (1) the Centre shall have power to approve the establishment of any enterprise where:

(*a*) the investor seeks the benefits and guarantees provided under this Code, or

(*b*) a technology transfer agreement is intended to be entered into as part of the establishment or operation of the enterprise and at least twenty per cent of the share in the enterprise is owned by Ghanaian citizens.

(3) The Centre may only approve an enterprise wholly owned by a non-Ghanaian where it is a net foreign exchange earning enterprise.

(4) The Centre shall on approval of an enterprise under this section issue a certificate of approval in a form determined by the Centre.

(5) A certificate of approval issued by the Centre shall be deemed to be a manufacturing licence within the meaning of the Manufacturing Industry Act, 1971 (Act 356) in the case of a manufacturing enterprise or an establishment licence in the case of any enterprise other than a manufacturing enterprise.

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Appraisal of Enterprises.

22. (1) The Centre shall not approve any enterprise under this Code without due appraisal of the capacity of the enterprise to contribute to any of the following objectives:

(*a*) development of the productive sectors of the national economy;

(*b*) efficient utilization, expansion and diversification of the productive capacity of existing enterprises;

(*c*) utilization of local materials, supplies and services;

(*d*) the creation of employment opportunities in Ghana;

(*e*) real increase in national export earnings;

(*f*) real savings on national imports;

(*g*) development and transfer of advanced technology, including the upgrading of indigenous technology;

(*h*) country-wide distribution of viable enterprises;

(*i*) such other objectives as the Centre may consider relevant for achieving the objects of this Code.

(2) The Centre may, by legislative instrument, specify from time to time, areas of special priority from the categories of activities specified in section 12 or priority geographical areas for the siting of specified enterprises.

(3) The location of an approved enterprise particularly the siting of an industry to take advantage of zones of local raw material production shall be taken into account in the consideration by the Centre of any application.

(4) The Centre shall also have regard to any effect the enterprise is likely to have on the environment and the measures proposed for the prevention and control of any harmful effects to the environment.

Avoidance of Monopolies.

23. In granting approval for investments under this Code the Centre shall have due regard to the need to generate constructive competition among enterprises and shall avoid a tendency to establish monopolies.

Application for Approval to Establish an Enterprise.

24. Any person who seeks an approval to establish an enterprise under this Code shall obtain an application form from the Centre and submit the form to the Centre upon completion together with a clear and concise statement about how the enterprise, if approved and established is likely to contribute to any of the objectives referred to in subsection (1) of section 22, and where applicable, to address the concerns contained in subsection (2) of section 22.

Copies of Applications to be submitted to Relevant Government Establishments.

25. (1) The Centre shall on receipt of an application form submit within fourteen days a copy to the Ministry, Government Department or agency to whose administrative competence such enterprise belongs.

(2) Any Ministry, Government Department or agency to which a copy of the application is submitted shall within twenty-one days of the receipt of the report submit any comments or observations on the application to the Centre, and these shall be taken into account by the Centre in the appraisal of the proposed enterprise.

Applicants to be Notified of Approval.

26. (1) When the Centre has resolved to approve an enterprise, the applicant shall be notified promptly in writing of this decision and shall be required to confirm in writing to the Centre within twenty-one days of such notification that he intends to proceed with the enterprise.

(2) In granting approval for investment the Centre may stipulate conditions in the approval certificate, the conditions to be complied with by the investor with regard to:

(*a*) the amount and source of capital;

(*b*) the nationality and number of shareholders;

(*c*) the project size;

(*d*) the training of Ghanaians in administrative, technical, managerial and other skills related to the operation of the enterprise;

(*e*) the period of time to commence the implementation of the enterprise;

(*f*) reporting on implementation of the project and operation;

(*g*) the prevention and control of any damage to environment;

(*h*) the utilization of local raw materials;

(*i*) any other matter as is appropriate having regard to the objects of this Code.

PART V—TECHNOLOGY TRANSFER AGREEMENT

Technology Transfer Agreements.

27. (1) The Centre shall maintain a record of all technology transfer agreements, including amendments thereto.

(2) Where an approved enterprise involves a technology transfer agreement the Centre shall:

(*a*) evaluate such agreement;

(*b*) advise the investor with regard to the choice and suitability of technology;

(*c*) monitor and ensure compliance with the terms and conditions of such agreements.

28. (1) Where a techonlogy transfer agreement has been approved by the Centre, a certificate of such approval shall be issued to the approved enterprise.

(2) No technology transfer agreement relating to enterprise requiring approval of the Centre under this Code shall come into effect without the approval of the Centre.

Existing Technology Transfer Agreements.

29. (1) Copies of technology transfer agreements concluded and in force in relation to a Ghanaian enterprise before the commencement of this Code shall be submitted by the parties to the Centre within a period of six months of the commencement of this Code.

(2) The Centre shall maintain a record of all such agreements including any amendments thereto.

(3) No existing technology transfer agreements may be renewed without the approval of the Centre.

(4) The Centre may advise the parties regarding any existing technology transfer agreement particularly as to the suitability of the technology and the level of remuneration for the transfer.

Regulations to govern Technology Transfer Agreements.

30. The Board may make regulations in respect of any of the following:

(*a*) criteria for the approval of technology transfer agreements;

(*b*) remuneration for technology transfer and reasonableness of fees;

(*c*) reasonableness of duration of agreement;

(*d*) restrictive business practices;

(*e*) transfer and absorption of technology;

(*f*) form and procedure for approval and monitoring of technology transfer agreements;

(*g*) any other matter relating to technology transfer agreements that appears to the Centre to be reasonably necessary.

PART VI—GROUNDS FOR CANCELLATION AND SUPSENSION OF APPROVALS

Assignability of Approvals.

31. No approval given under this Code may be assigned except with the prior written consent of the Centre.

Cancellation and Suspension of Approvals.

32. (1) The Centre shall cancel an approval where:

(*a*) the approval has been obtained on the basis of fraud, or deliberate or negligent submission of false or misleading facts or statements;

(*b*) an approval has been assigned without the prior written consent of the Centre.

(2) Where an approved enterprise:

(*a*) applies any benefit conferred by or under this Code for purposes other than those for which the benefit was conferred;

(*b*) fails without reasonable cause stated in writing to submit a report required under this Code after sixty days' written notice of such default has been given;

(*c*) fails without reasonable cause stated in writing to commence operations within the time stipulated in the approval;

the Centre may impose any of the sanctions provided in subsection (3) of this section.

(3) Where the Centre is satisfied that an approved enterprise has contravened any of the provisions of subsection (2) of this section the Centre may:

(*a*) suspend or cancel the approval;

(*b*) decide that all fees, taxes, duties and other charges in respect of which benefits were granted to the enterprise be paid within such time as the Centre shall determine;

(*c*) advise the Bank of Ghana to suspend any remittances including transfer of capital profits and dividends.

Offences.

33. (1) Any person who:

(*a*) deliberately or negligently submits false or misleading statements;

(*b*) refuses or neglects to give any information which the Centre may reasonably request for the purposes of this Code;

(*c*) refuses without lawful excuse to admit an officer or a designated agent of the Centre into the business premises or otherwise obstructs any inspection by an officer or a designated agent of the Centre,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding ₵50,000.00 or to a term of imprisonment not exceeding two years or both; and in the case of a continuing offence, to an additional fine not exceeding ₵5,000.00 in respect of each day on which the offence continues.

(2) Where an offence is committed by a body of persons:

(*a*) in the case of a body corporate other than a partnership every director or officer of the body shall be deemed also to be guilty of the offence; and

(*b*) in the case of partnership, every partner or officer of that body shall be deemed to be guilty of that offence;

Provided that no person shall be deemed to be guilty of an offence by virtue of this subsection if he proves that the offence was committed without his knowledge or that he exercised due care and diligence to prevent the commission of the offence, having regard to all the circumstances.

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PART VII—GENERAL PROVISIONS

Records of approved enterprises investments.

34. The Centre shall maintain records containing the following particulars:

(*a*) projects approved for establishement and expansion;

(*b*) capitalization of approved projects showing foreign equity investment;

(*c*) technology transfer agreements;

(*d*) such other particulars as the Centre may determine.

Powers for information.

35. (1) The Centre may request any person to supply any estimates, returns or any other information whatsoever within his knowledge which the Centre is satisfied is necessary for ensuring the due compliance with the provisions of this Code and it shall be the duty of any such person to comply with the request.

(2) An officer or a designated agent of the Centre may at all reasonable times enter any premises used or is reasonably suspected to be used, for a purpose to which the Code applies, to carry out any inspection designed to obtain information required by the Centre.

(3) Any person who contravenes subsection (1) of this section shall be liable on summary conviction to a fine not exceeding ₵50,000.00 or to a term of imprisonment not exceeding two years or both; and in the case of a continuing offence, to an additional fine not exceeding ₵5,000.00 in respect of each day on which the offence continues.

Regulations.

36. The Secretary may on the advice of the Board by legislative instrument make regulations for:

(*a*) prescribing fees for any approval, licence or any matters required or authorised to be done under this Code;

(*b*) providing for anything required to be prescribed under this Code; and

(*c*) generally for the purpose of giving effect to the provisions of this Code.

Official Secrecy.

37. Any person who in the course of his official duties in the administration of this Code has possession of or control over any document or information obtained under this Code and who communicates such document or information or any part thereof to any other person to whom he is not authorized to communicate it by any enactment or by the Board shall be guilty of an offence and liable on summary conviction to a fine not exceeding ₵50,000.00 or to imprisonment for a term not exceeding two years or to both.

Modification of Existing Enactments.

38. The following enactments:

(*a*) the Exchange Control Act, 1961 (Act 71);

(*b*) the Aliens Act, 1963 (Act 160);

(*c*) the Manufacturing Industries Act, 1971 (Act 356);

(*d*) the Selective Alien Employment Tax Decree, 1973 (N.R.C.D. 201);

(*e*) the Income Tax Decree, 1975 (S.M.C.D. 5); and

any other enactment relating to the functions of the Centre as provided under this Code shall have effect with such modifications as may be necessary to give full effect to this Code.

Repeals and Savings, etc.

39. (1) The Investment Code, 1981 (Act 437) is hereby repealed.

(2) Notwithstanding the repeal of the Investment Code, 1981 (Act 437) any agreement executed thereunder and in force immediately before the commencement of this Code shall continue in force as if made under this Code and applications pending before the Ghana Investments Centre under the Investment Code, 1981 (Act 437) shall be deemed made to the Centre:

Provided that agreements continued in force by this subsection shall, unless modified by any new agreement entered into with the Centre, confer only the benefits previously enjoyed under the said agreements before the commencement of this Code.

(3) Where any enterprise in existence immediately before the commencement of this Code has duly complied with the Investment Code, 1981 (Act 437) in relation to any employed capital, specified in the First Schedule of that Code, the enterprise shall be deemed lawful notwithstanding the Schedule to this Code.

(4) Any licence issued under section 1 of the Manufacturing Industries Act, 1971 (Act 356) to any enterprise required to be approved under section 21 of this Code, and in force immediately before the commencement of this Code shall continue in force.

(5) Where, before the commencement of this Law, under any other enactment relating to investments in Ghana the assets of an enterprise were vested in another person or body of persons for the purpose of compliance with the terms of that enactment, the Centre shall continue to ensure full compliance with such enactment by exercising the powers conferred thereunder for that purpose including the power of disposal over such assets, and to this end any such assets shall unless already disposed of in accordance with such enactment be deemed to have been vested in the Centre.

Interpretation.

40. (1) In this Code unless the context otherwise requires:

"approved enterprise" means an enterprise to which approval has been granted by the Centre under this Code;

"benefits" includes facilities, entitlements and exemptions conferred on an approved enterprise;

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" capital" means all cash contributions, plant, machinery, equipment, buildings, spare parts, raw materials and other business assets other than goodwill . . .

" company " means a company registered under the Companies Code, 1963 (Act 179);

" Council " means the Provisional National Defence Council;

" customs import duties " includes import duty, sales tax and other related charges;

" employed capital " in relation to an enterprise, means the net current assets plus net fixed assets of the enterprise as reflected in the accounts or statement of that enterprise submitted to the Central Revenue Department for the purpose of income tax returns for the year of assessment next following the year of assessment in which the enterprise was established;

" enterprise " means an industry, project, undertaking, or business or an enlargement of any such industry, undertaking, project or business, or any part of any such industry, undertaking, project or business;

" foreign capital " means convertible currency, plant, machinery, equipment, spare parts, raw materials and other business assets other than goodwill that enter Ghana with no initial disbursement of Ghana's foreign exchange and are intended for the production of goods and services related to the approved enterprise;

"foreign exchange" has the same meaning as "external currency" as under the Exchange Control Act, 1961 (Act 71);

"Ghanaian" means any citizen of Ghana or any company, partnership or association or body (whether corporate or unincorporate) the entire capital or financial interest in which is owned by citizens of Ghana, and includes the State and a statutory corporation;

"Government" means the Government of Ghana;

"market" means a public or open place established by local customs or by the appropriate local government council for the purpose of buying and selling and any other public place used substantially for the said purpose;

" minerals " means all minerals and mineral substances other than mineral oils, natural gases and salt;

" mining " includes any operation for exploration, prospecting, winning or obtaining of minerals, precious metals or precious stones;

"own" in relation to any enterprise, includes the holding of any proprietary interest in the enterprise;

"petroleum" means crude oil or natural gas or a combination of both;

"Secretary" means the Provisional National Defence Council Secretary for Finance and Economic Planning;

"Technology Transfer Agreement" means any agreement relating to an enterprise approved under this Code involving:—

(i) the assignment, sale and use of foreign patents, trade-marks or other industrial property rights;

(ii) the supply of foreign technical know-how or techno-logical knowledge;

(iii) foreign technical assistance, design and engineering, consultancy or other technical services in whatever form they may be supplied;

(iv) foreign managerial, marketing or other services:

Provided however that an agreement shall not be regarded as a technology transfer agreement for the purposes of this Code if its duration does not exceed a period of eighteen months;

"year of assessment" has the same meaning as in the Income Tax Decree, 1975 (S.M.C.D. 5);

(2) In this Code "Ghanaian" includes any company incorporated in Ghana to the extent to which the capital of that company is owned by Ghanaians as defined in subsection (1) of this section.

SCHEDULE

Section 16

ENTERPRISES WHOLLY RESERVED FOR GHANAIANS

1. Any enterprise concerned with retail or wholesale trade, unless such business is carried on by or within a department store or a supermarket which has an employed capital of not less than US$500,000.00.

2. The sale of anything whatsoever in any market, petty trading, hawking or selling from a kiosk at any place.

3. Business representation for foreign companies unless the enterprise has an employed capital of not less than five hundred thousand United States dollars (US$500,000.00) or its equivalent.

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4. Operation of taxi service and car hire service.
5. The sale under hire-purchase contract of motor vehicles including taxis or vehicles intended to be used in the operation of taxi service or a car hire service.
6. Produce brokerage unless the employed capital of the enterprise is not less than US$500,000.00.
7. Advertising agencies and public relations business.
8. All aspects of pool betting business and lotteries.
9. Estate agency.
10. Travel agency.
11. Lighterage services.
12. Commercial transportation of passenger by land.
13. Bakery.
14. Manufacutre of articles from foam materials.
15. Operation of beauty saloons and barbers' shops.
16. Manufacture of cement blocks for sale.
17. Manufacture or tailoring or both of garments other than for export.
18. Textile screen hand printing (including tie and dye).
19. Tyre retreading.
20. Manufacture of suitcases, briefcases, portfolios, handbags, shopping bags, purses, wallets other than for export.

Made this 13th day of July, 1985.

FLT.-LT. JERRY JOHN RAWLINGS
Chairman of the Provisional National Defence Council

Date of *Gazette* notification: 17th July, 1985.

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APPENDIX III

GHANA'S BALANCE OF PAYMENTS

($'M)

	1983	1984*	1985**	1986 **
1. CURRENT BALANCE	-157.6	-76.1	-258.3	-341.2
Trade Balance	- 60.6	-50.1	-116.4	198.6
Exports (F.O.B.)	439.1	565.9	608.8	687.2
Cocoa Beans & Products	(268.6)	(381.7)	(383.8)	(420.0)
Other Exports	(170.5)	(184.2)	(225.2)	(267.2)
Imports (F.O.B.)	-499.7	-616.0	-725.2	-885.8
Invisibles (Net)	-97.0	-26.0	-141.9	-142.6
Freight and Insurance (Net)	(-23.1)	(-31.6)	(-50.1)	(-62.7)
Investment Income (Net)	(-81.9)	(-101.2)	(-110.9)	(-111.2)
Other Services (Net)	(-81.0)	(-96.4)	(-119.9)	(-145.3)
Transfers (Net)	89.0	203.2	139.0	176.6
Official (Net)	(72.4)	(129.7)	(95.0)	(129.9)
Private (Net)	(16.6)	(73.5)	(44.0)	(46.7)
2. GOVERNMENT CAPITAL (Net)	27.7	186.7	154.1	215.4
Long-term loans (Net)	15.0	83.6	167.2	241.4
Gross Inflows	(84.4)	(133.4)	(220.1)	(278.0)
Amortization	(-69.4)	(-49.8)	(-32.9)	(-36.6)
Medium-term Loans (Net)	12.7	104.3	-5.7	-16.0
Gross Inflows	(67.8)	(169.5)	(197.7)	(203.3)
Amortization	(-55.1)	(-65.2)	(-203.4)	(-219.3)
Trust Fund Loan	-	1.2	-7.4	-10.0
3. PRIVATE CAPITAL (Net)	13.4	-8.7	51.1	54.2
Direct Investment (Net)	1.6	2.0	5.6	9.8
Suppliers' Credit (Net)	11.8	10.7	45.5	44.4
Gross Inflows	(42.0)	(7.0)	(50.0)	(50.0)
Amortization	(-30.2)	(-17.7)	(-4.5)	(-5.6)
Others	-	-	-	-
Non-Monetary Short-term Capital	55.0	-25.8	-6.9	-16.5
Monetary Short-Term Capital	5.9	-58.9	-	-
S.D.R. Allocation	-	-	-	-
4. ERRORS AND OMISSIONS	137.4	20.0	-	-
5. OVERALL BALANCE	-243.0	37.2	-60.0	-88.1
Changes in Official	243.0	-37.2	60.0	-79.6
Short-term External Position			-	
Net International Reserves				-
IMF Position (Net)	258.7	213.7	120.0	-19.6
Holdings of SDR	16.5	2.3	-	-
Foreign Exchange Position (Net)	0.4	-35.1	-	-
Central Bank	(-8.9)	(-47.6)	-	-
Government	(9.3)	(12.5)	-	-
Bilateral Balance	1.1	-10.3	-	-
Payments Arrears	-33.7	-207.8	-60.0	-60.0
Financing Gap	-	-	-	167.7

*Provisional ** Projections