

ACT 685
**CUSTOMS AND EXCISE (PETROLEUM TAXES AND PETROLEUM
RELATED LEVIES) ACT, 2005**

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ACT 685
CUSTOMS AND EXCISE (PETROLEUM TAXES AND PETROLEUM RELATED LEVIES)
ACT 20051(1)

AN ACT to revise duties, taxes and levies on specified petroleum products and to provide for related purposes.

1. Imposition of ad valorem duty on petroleum products

(1) There is imposed by this Act on the petroleum products specified in column 1 of the First Schedule ad valorem duty of 15% of the ex-refinery price of the products.

(2) The ad valorem duty shall be collected by the Customs, Excise and Preventive Service at the strategic storage depots for petroleum products provided for under the Energy Commission Act, 1997 (Act 541).

2. Imposition of a fixed tax on petroleum products

(1) There is imposed by this Act on the petroleum products specified in column 1 of the First Schedule the fixed amounts specified in relation to them in column 2 of the Schedule as petroleum tax per litre of the products.

(2) The fixed amounts are payable to the supplier by the person to whom the product is supplied.

(3) The supplier is liable to account for the amounts to the Commissioner of Customs, Excise and Preventive Service at the time and place determined by the Commissioner.

3. Imposition of energy levy

(1) There is imposed by this Act on every litre of the petroleum products specified in the First Schedule, other than liquefied petroleum gas, an energy levy of ¢5,00.

(2) The energy levy is payable to the supplier by the person to whom the product is supplied at the time of the supply.

(3) The supplier is liable to account for the energy levy to the Commissioner at the time and place determined by the Commission.

(4) The energy fund shall constitute a part of the moneys of the Energy Fund established under the Energy Commission Act, 1997 (Act 541) and accordingly the Commissioner shall submit the energy levy to the Energy Commission.

4. Imposition of hydrocarbon exploration levy

(1) There is imposed by this Act on every litre of the petroleum products specified in the First Schedule, other than liquefied petroleum gas, a hydrocarbon exploration levy of ¢10,00.

(2) The hydrocarbon exploration levy is payable to the supplier by the person to whom the product is supplied at the time of the supply.

(3) The supplier is liable to account for the hydrocarbon exploration levy to the Commissioner at the time and place determined by the Commission.

(4) The purpose of the hydrocarbon exploration levy is to provide money

(a) to promote exploration of hydrocarbon basins,

(b) to store geological data on hydrocarbon deposits in Ghana, and

(c) to assist with human resource development in hydrocarbon exploration.

(5) The hydrocarbon exploration levy shall be paid into the accounts directed by the Accountant-General.

5. Imposition of road levy

(1) There is imposed by this Act a road levy of the amounts specified in column 2 of the Second Schedule in respect of the petroleum products specified in relation to them in column 1.

(2) The road levy is payable to the supplier by the person to whom the product is supplied at the time of the supply.

(3) The supplier is liable to account for the payment of the road levy to the Commissioner.

(4) The road levy shall constitute a part of the moneys of the Road Fund established under the Road Fund Act, 1997 (Act 536) and accordingly the Commissioner shall submit the road levy to the Road Fund

Board.

6. Cross subsidy levy

(1) There is imposed by this Act a cross subsidy levy of the amounts specified in column 2 of the Third Schedule in respect of petroleum products specified in relation to them in column 1.

(2) The cross subsidy levy is payable to the supplier by the person to whom the product is supplied at the time of the supply.

(3) The supplier is liable to account for the payment of the cross subsidy levy to the Commissioner.

7. Social impact mitigating levy

(1) There is imposed by this Act a social impact mitigating levy of the amounts specified in column 2 of the Fourth Schedule in respect of petroleum products specified in relation to them in column 1.

(2) The social impact mitigating levy is payable to the supplier by the person to whom the product is supplied at the time of the supply.

(3) The supplier is liable to account for the payment of the social impact mitigating levy to the Commissioner.

8. Application of Customs, Excise and Preventive Service Act to the Act

The Customs, Excise and Preventive Service Act, 19932(2) shall apply for the purposes of collection of the taxes and levies imposed by this Act.

9. Interpretation

In this Act, unless the context otherwise requires,

“**Commissioner**” means the Commissioner of the Customs, Excise and Preventive Service;

“**hydrocarbon exploration**” includes exploration in respect of liquefied or gaseous substances composed principally of hydrocarbons that occur naturally in sub-soil, sea bed and natural gas, crude oil, oil shales, oil sand substances commonly known in the petroleum industry as gas condensate and liquefied petroleum gas;

“**supplier**” means a person who sells or otherwise disposes of the petroleum products specified in the First Schedule.

10. Repeal

Spent.3(3)

11. Commencement

Spent.4(4)

SCHEDULES

First Schedule

[Sections 1, 2, 3 and 4]

<i>Petroleum Products</i>	<i>Specific Excise Duty</i>
1. Premium Petrol	¢200.00
2. Gas Oil	¢200.00
3. Residual Fuel Oil	¢200.00
4. Kerosene	¢100.00
5. Premix Fuel	¢100.00
6. Marine Gas Oil	¢100.00
7. Liquefied Petroleum Gas (LPG)	¢100.00

Second Schedule
ROAD LEVY

[Section 5]

Premium Petrol	¢600 per litre
Gas Oil	¢600 per litre

Third Schedule
CROSS SUBSIDY LEVY

[Section 6]

Premium Petrol	+¢500.00 per litre
Kerosene	-¢484.49 per litre
Gas Oil	¢269.87 per litre
Residual Fuel	¢139.37 per litre
Premix Fuel	¢36.08 per litre
Marine Gas Oil (local)	¢622.87 per litre
Liquefied Petroleum Gas (LPG)	¢1,840.42 per kilogram

Fourth Schedule
SOCIAL IMPACT MITIGATING LEVY

[Section 7]

Premium Petrol	¢442.56 per litre
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Endnotes

1 (Popup - Footnote)

1. The Act was assented to on 23rd February, 2005.

2 (Popup - Footnote)

2. [P.N.D.C.L. 330](#).

3 (Popup - Footnote)

3. The Section provided for the repeal of certain enactments as follows:

“(1) The following enactments are repealed:

- (a) the Customs and Excise (Petroleum Taxes and Petroleum Related Levies) Act, 1998 (Act 544);
- (b) the Customs and Excise Petroleum Taxes and Related Levies (Amendment) Act, 2001 (Act 593);
- (c) the Customs and Excise (Petroleum Taxes and Petroleum Related Levies) Act, 2001 (Act 603);
- (d) the Customs and Excise Petroleum Taxes and Petroleum Related Levies (Amendment) Act, 2003 (Act 640).

(2) The following Executive Instruments are hereby revoked:

- (a) Customs and Excise (Petroleum Taxes and Related Petroleum Related Levies) (Commencement) Instrument, 2001 (E.I. 15);
- (b) Customs and Excise (Petroleum Taxes and Petroleum Related Levies) (Commencement) (No.

2) Instrument, 2001 (E.I. 19).”

4 (Popup - Footnote)

4. The section provided for the commencement date as the 23rd day of February, 2005.