

Committee on Import Licensing

**SIXTH BIENNIAL REVIEW OF THE IMPLEMENTATION AND OPERATION
OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES**

Background document by the Secretariat

*This document has been prepared under the Secretariat's own
responsibility and without prejudice to the positions of Members
and to their rights and obligations under the WTO*

Article 7.1 of the Agreement on Import Licensing Procedures provides that "the Committee shall review as necessary, but at least once every two years, the implementation and operation of this Agreement, taking into account the objectives thereof, and the rights and obligations contained therein".

The main objectives of the Agreement are those listed in the preamble of the Agreement.

The information contained in this document covers the period from 1 October 2004 to 30 October 2006.

I.	COMMITTEE ON IMPORT LICENSING	3
A.	OFFICERS, MEMBERS AND OBSERVERS	3
B.	SUMMARY OF THE MAIN DEVELOPMENTS IN THE WORK OF THE COMMITTEE DURING THE PERIOD COVERED	4
II.	NOTIFICATIONS	6
A.	NOTIFICATIONS OF PUBLICATIONS AND/OR LEGISLATION (ARTICLES 1.4(A) AND/OR 8.2(B))	7
B.	NOTIFICATIONS OF IMPORT LICENSING PROCEDURES (ARTICLES 7.3 AND 5).....	7
III.	CONSULTATION AND DISPUTE SETTLEMENT	8
IV.	QUESTIONS AND REPLIES BY MEMBERS	8
A.	QUESTIONS POSED BY MEMBERS	8
B.	REPLIES FROM MEMBERS.....	9
V.	ANNUAL REPORTS (2005 AND 2006) TO THE COUNCIL FOR TRADE IN GOODS	9
VI.	FOURTH AND FIFTH TRANSITIONAL REVIEWS UNDER PARAGRAPH 18 OF THE PROTOCOL ON THE ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA (WT/L/432).....	9
A.	FOURTH TRANSITIONAL REVIEW ON THE ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA	9
B.	FIFTH TRANSITIONAL REVIEW ON THE ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA	10
ANNEX I.....		11
ANNEX II		14
ANNEX III.....		17
ANNEX IV		18
ANNEX V		19

I. COMMITTEE ON IMPORT LICENSING

A. OFFICERS, MEMBERS AND OBSERVERS

1. Officers:

<u>Chairperson</u> (2005):	Ms. Pamela Cooper (Canada)
<u>Vice-Chairperson</u> (2005):	Mr. Peter Govindasamy (Singapore)
<u>Chairperson</u> (2006):	Mr. Evelio Alvarado Romero (Guatemala)
<u>Vice-Chairperson</u> (2006):	Mr. Peter Govindasamy (Singapore)

2. Members (149)¹:

Albania	Dominica	Latvia	Portugal
Angola	Dominican Rep.	Lesotho	Qatar
Antigua & Barbuda	Ecuador	Liechtenstein	Romania
Argentina	Egypt	Lithuania	Rwanda
Armenia	El Salvador	Luxembourg	St. Kitts & Nevis
Australia	Estonia	Macedonia, Former	St. Lucia
Austria	European Communities	Yugoslav Rep. of	St. Vincent & Grenadines
Bahrain	Fiji	Macao, China	Saudi Arabia
Bangladesh	Finland	Madagascar	Senegal
Barbados	France	Malawi	Sierra Leone
Belgium	Gabon	Malaysia	Singapore
Belize	Gambia	Maldives	Slovak Republic
Benin	Georgia	Mali	Slovenia
Bolivia	Germany	Malta	Solomon Islands
Botswana	Ghana	Mauritania	South Africa
Brazil	Greece	Mauritius	Spain
Brunei Darussalam	Grenada	Mexico	Sri Lanka
Bulgaria	Guatemala	Moldova	Suriname
Burkina Faso	Guinea	Mongolia	Swaziland
Burundi	Guinea Bissau	Morocco	Sweden
Cambodia	Guyana	Mozambique	Switzerland
Cameroon	Haiti	Myanmar	Taipei, Chinese
Canada	Honduras	Namibia	Tanzania
Central African Rep.	Hong Kong, China	Nepal	Thailand
Chad	Hungary	Netherlands	Togo
Chile	Iceland	New Zealand	Trinidad & Tobago
China	India	Nicaragua	Tunisia
Colombia	Indonesia	Niger	Turkey
Congo	Ireland	Nigeria	Uganda
Costa Rica	Israel	Norway	United Arab Emirates
Côte d'Ivoire	Italy	Oman	United Kingdom
Croatia	Jamaica	Pakistan	United States
Cuba	Japan	Panama	Uruguay
Cyprus	Jordan	Papua New Guinea	Venezuela
Czech Rep.	Kenya	Paraguay	Zambia
Dem. Rep. of Congo	Korea	Peru	Zimbabwe
Denmark	Kuwait	Philippines	
Djibouti	Kyrgyz Rep.	Poland	

¹ Members on 30 October 2006.

3. Observers

Observer Governments (32)²

Afganistán	Lebanese Rep.
Algeria	Libya
Andorra	Montenegro
Azerbaijan	Russian Federation
Bahamas	Samoa
Belarus	Sao Tome & Principe
Bhutan	Serbia
Bosnia & Herzegovina	Seychelles
Cape Verde	Sudan
Equatorial Guinea	Tajikistan
Ethiopia	Tonga
Holy See	Ukraine
Iran	Uzbekistan
Iraq	Vanuatu
Kazakhstan	Vietnam
Lao People's Dem. Rep.	Yemen

Observer Organizations

IMF
UNCTAD
World Bank

B. SUMMARY OF THE MAIN DEVELOPMENTS IN THE WORK OF THE COMMITTEE DURING THE PERIOD COVERED

4. During the reporting period, the Committee held its twenty first, twenty second, twenty third and twenty fourth meetings on 15 June and 28 September 2005, and 21 June and 30 October 2006. The minutes of these meetings are contained in documents G/LIC/M/21-24, respectively.

5. During the period covered, the Committee: (i) received notifications of legislation and/or publications submitted by 18 Members³, notifications relating to the institution of import licensing procedures or changes in these procedures submitted by 9 Members and; replies to the Questionnaire on Import Licensing Procedures submitted by 44 Members;³ (ii) discussed the matter of the low level of compliance with notification obligations and how this situation could be improved; (iii) adopted its annual reports for 2005 and 2006 to the Council for Trade in Goods in accordance with Article 7.4 of the Agreement (G/L/753 and G/L/800); (iv) carried out the sixth biennial review of the implementation and operation of the Agreement under Article 7.1 on the basis of a factual report prepared by the Secretariat (G/LIC/W/27 and G/LIC/16); and, (v) conducted the fourth and fifth transitional reviews of the implementation of China's commitments in the import licensing area pursuant to Paragraph 18 of its Protocol of Accession⁴. The reports of the Committee to the Council for Trade in Goods on these reviews were circulated in documents G/LIC/14 and G/LIC/15.⁵

² Observers on 30 October 2006.

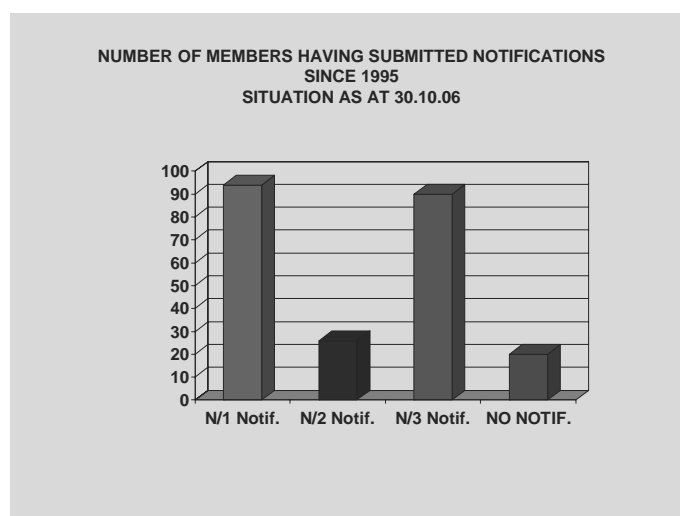
³ The European Communities and its member States counted as one Member.

⁴ WT/L/432.

⁵ Also see documents G/LIC/M/22, Chapter 3, and G/LIC/M/24, Chapter 3.

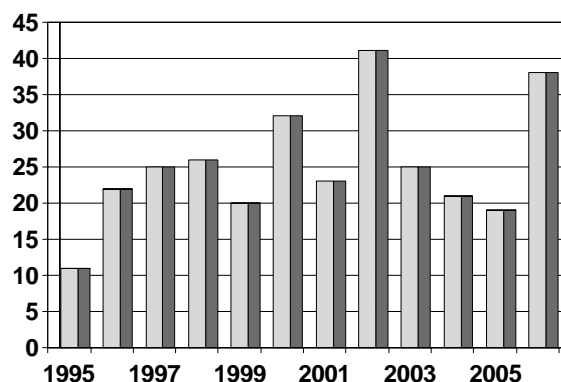
6. The Chair expressed continuing concern over the failure of many Members to submit the required notifications. The Committee was informed of the steps taken by the Chair and the Secretariat with a view to improving the situation. It was noted that, in spite of numerous reminders from the Chair and the Secretariat and urging from the Committee, the situation had not improved as expected.

7. As at 30 October 2006, 20 Members had not submitted any notifications under the Agreement; only 94 Members³ had submitted notifications of laws, regulations and administrative procedures relevant to import licensing under Articles 1.4(a) and 8.2(b); only 26 Members³ had notified the institution of new licensing procedures or changes in existing procedures under paragraphs 1-4 of Article 5; and a cumulative total of only 90 Members³ had submitted replies to the Questionnaire under Article 7.3 since the entry into force of the WTO Agreement.



8. Though the Agreement required all Members to provide replies to the Questionnaire on an annual basis, the total notified each year was much less than the Membership of the WTO (11 Members in 1995, 22 in 1996, 25³ in 1997, 26 in 1998, 20³ in 1999, 32³ in 2000, 23³ in 2001, 41³ in 2002, 25³ in 2003, 21³ Members in 2004, 19³ Members in 2005 and 38³ up to now in 2006).

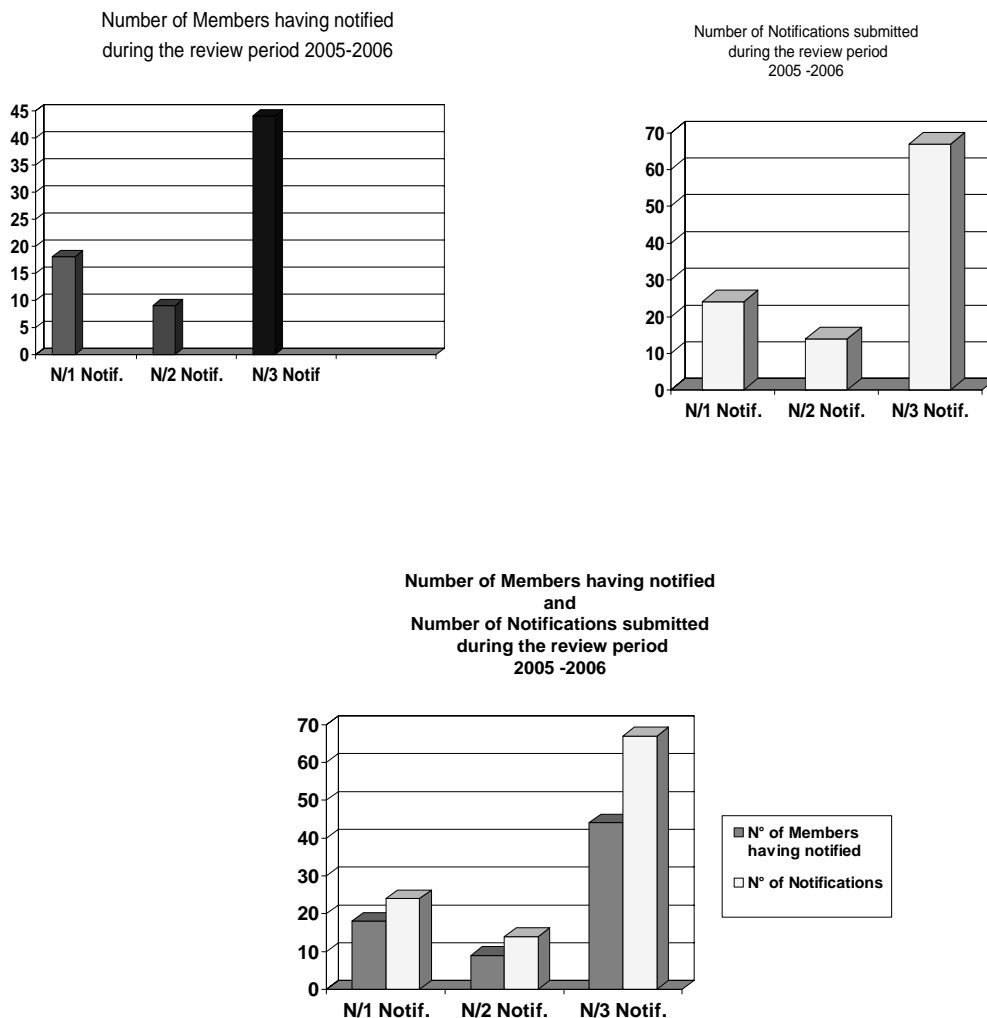
Number of Members having notified under Article 7.3
1995 - 2006



9. Members who had not yet submitted the required notifications or provided clarifications sought by other Members were urged to do so without any further delay. Members who had technical problems in preparing the notifications were requested to consult the Secretariat in order to assist them in complying with the requirements. Recently, the Secretariat had been contacted by some delegations requesting its assistance in the notifying process. Responses and explanations have been provided and most of these delegations have now submitted notifications or had expressed that they are in the process of preparing their notifications and will submit them soon.

10. Written comments and questions concerning the notifications submitted to the Committee and/or on import licensing procedures maintained by Members which had not been notified to the Committee, as well as responses to these questions and comments provided by Members may be found in documents in the G/LIC/Q series.⁶

II. NOTIFICATIONS



⁶ See Annex V.

A. NOTIFICATIONS OF PUBLICATIONS AND/OR LEGISLATION (ARTICLES 1.4(A) AND/OR 8.2(B))

11. Paragraph 4(a) of Article 1 and paragraphs 3, 4, 5(b), 5(c) and 5(d) of Article 3 require Members to publish certain information "for other Members and traders to know the basis for granting and/or allocating licences", or "in such a manner as to enable governments and traders to become acquainted with them". Article 1.4(a) requires Members to notify to the Committee the sources in which the information concerning import licensing procedures are published, and to make copies of these publications available to the Secretariat.

12. Paragraph 2(a) of Article 8 provides that "each Member shall ensure, not later than the date of entry into force of the WTO Agreement for it, the conformity of its laws, regulations and administrative procedures with the provisions of this Agreement"; paragraph 2(b) states that "each Member shall inform the Committee of any changes in its laws and regulations relevant to this Agreement and in the administration of such laws and regulations".

13. The Committee agreed that in cases where the publications or legislation were not in a WTO official language, Members shall provide, together with such publications or legislation, a summary of the notification in one of the WTO languages. Other Members may ask for a full translation if they so wish, or seek any additional information on a bilateral basis. Any issues that cannot be solved on a bilateral basis may be brought to the attention of the Committee. It was also agreed that the first notification under Article 8.2(b) shall contain the full text of relevant laws and regulations in effect on the entry into force of the WTO Agreement for the Member concerned (G/LIC/M/2 and G/LIC/3).

14. During the period covered, the Committee received 24 notifications of legislation and/or publications pursuant to Articles 1.4(a) and/or 8.2(b) of the Agreement from 18 Members³. Since the entry into force of the WTO Agreement, notifications have been received from 94³ Members and have been circulated in the G/LIC/N/1/- series. Copies of publications and legislation submitted with these notifications are available for consultation in the Secretariat. The current status of notifications is contained in Column 2 of Annex I below. Written questions and replies concerning these notifications may be found in documents in the G/LIC/Q series.⁷

B. NOTIFICATIONS OF IMPORT LICENSING PROCEDURES (ARTICLES 7.3 AND 5)

15. Article 2.1 of the Agreement defines automatic import licensing as "import licensing where approval of the application is granted in all cases, and in accordance with the requirements of paragraph 2(a)". Paragraph 2(a) of Article 2 states that "automatic import licensing procedures shall not be administered in such a manner as to have restricting effects on imports subject to automatic licensing. Automatic licensing procedures shall be deemed to have trade-restricting effects unless, *inter alia*: (i) any person, firm or institution which fulfils the legal requirements of the importing Member for engaging in import operations involving products subject to automatic licensing is equally eligible to apply for and to obtain import licences; (ii) applications for licences may be submitted on any working day prior to the customs clearance of the goods; (iii) applications for licences when submitted in appropriate and complete form are approved immediately on receipt, to the extent administratively feasible, but within a maximum of 10 working days".⁸ Article 3 defines non-automatic import licensing as "import licensing not falling within the definition contained in paragraph 1 of Article 2".⁹

⁷ See Annex V.

⁸ A concordance between the provisions of the Agreement relating to automatic licensing procedures and the Questionnaire on Import Licensing Procedures is contained in Annex III.

⁹ A concordance between the provisions of the Agreement relating to non-automatic licensing procedures and the Questionnaire on Import Licensing Procedures is contained in Annex IV.

16. Pursuant to Article 7.3 of the Agreement, Members undertake to complete the annual Questionnaire on Import Licensing Procedures¹⁰ promptly and in full. At its meeting in October 1995, the Committee established a time-limit of 30 September each year to submit these notifications (G/LIC/M/2 and G/LIC/3).

17. Article 5.1 of the Agreement requires Members which institute licensing procedures or changes in these procedures to notify the Committee of such within 60 days of publication. Pursuant to Article 5.2, the notifications shall include: the list of products subject to licensing procedures; contact point for information on eligibility; administrative body(ies) for submission of applications; date and name of publication where licensing procedures are published; indication of whether the licensing procedure is automatic or non-automatic according to definitions contained in Articles 2 and 3; in the case of automatic licensing procedures, their administrative purpose; in the case of non-automatic licensing procedures, indication of the measure being implemented through the licensing procedure; and expected duration of the licensing procedure if this can be estimated with some probability, and if not, reason why this information cannot be provided. Article 5.4 requires Members to notify the Committee of the publications in which the information required in Article 1.4 will be published.

18. In addition, pursuant to Article 5.5 any interested Member which considers that another Member has not notified the institution of a licensing procedure or changes therein in accordance with the provisions of Articles 5.1-5.3 may bring the matter to the attention of such other Member. If notification is not made promptly thereafter, such Member may itself notify the licensing procedure or changes therein, including all relevant and available information.

19. During the period covered, 44 Members¹¹ have submitted 67 replies to the Questionnaire pursuant to Article 7.3 of the Agreement and nine Members have submitted 14 notifications on the institution of import licensing procedures or changes in these procedures pursuant to paragraphs 1-4 of Article 5 (circulated in the G/LIC/N/3/- and G/LIC/N/2/- series, respectively). The status of notifications under Articles 5.1-5.4 and 7.3 since the entry into force of the Agreement is contained in Columns 3 and 4 of Annex I below. Written questions and replies concerning these notifications may be found in documents in the G/LIC/Q series¹².

III. CONSULTATION AND DISPUTE SETTLEMENT

20. During the reporting period the United States requested consultations with Turkey on "*Measures affecting the Import of Rice (WT/DS/334, 2 November 2005)*", citing, amongst others, the Agreement on Import Licensing Procedures.

IV. QUESTIONS AND REPLIES BY MEMBERS

A. QUESTIONS POSED BY MEMBERS

1. Written questions submitted by Members

21. During the reporting period the following written questions were posed by Members from the United States to: Brazil (G/LIC/Q/BRA/3 and Add.1), the European Communities (G/LIC/Q/EEC/3 & 4), to China (G/LIC/Q/CHN/15), to Malaysia (G/LIC/Q/MYS/3) and to Turkey (G/LIC/Q/TUR/3); from China to the United States (G/LIC/Q/USA/1), from Australia to Malaysia (G/LIC/Q/4) and from Mexico to Guatemala (G/LIC/Q/2). Written questions were also posed to China in the context of the

¹⁰ The Questionnaire is annexed to document G/LIC/3 and is reproduced in Annex II.

¹¹ The European Communities and its member States counted as one Member.

¹² See Annex V.

Fourth and Fifth Transitional Reviews under Paragraph 18 of China's Protocol of Accession (See documents G/LIC/14 and G/LIC/15).

2. Oral statements by Members

22. At the different meetings that took place during the period under review, Members also posed some oral questions to, or requested further information and clarification from, other Members concerning different matters related to import licensing procedures.

23. At the meetings that took place on 15 June and 28 September 2005 Australia requested clarification from China on iron ore licensing procedures; Mexico from Guatemala on the importation of eggs; the United States from China on scrap and waste material licensing requirements, from Indonesia on textile products restrictions and from Turkey on the changes of import licensing requirements for rice. The United States also sought clarification on Brazil's import licensing requirements for certain lithium products, including lithium carbonate and lithium hydroxide and from the European Communities on enriched uranium.

24. At the meetings that took place on 21 June and 30 October 2006, the United States reiterated its request to Indonesia on textile products restrictions. In response the Indonesian delegation informed the Committee that written responses had been provided and would be circulated to Members. The Egyptian delegation requested clarification and information from Turkey on the import licensing scheme for rice and from India on import licensing requirements that were affecting the Egyptian exporters of marble. The United States posed questions to Argentina on footwear import licensing regime, to Brazil on import licensing requirements for certain lithium products and to India on the precise product coverage to which import licences apply to.

B. REPLIES FROM MEMBERS

25. During the reporting period the following written replies to questions were submitted by Jamaica to the United States (G/LIC/Q/JAM/2), Bahrain to the United States (G/LIC/Q/BHR/2), Guatemala to Mexico (G/LIC/Q/GTM/1), Indonesia to the United States (G/LIC/Q/IDN/8) and the United States to China (G/LIC/Q/USA/2)

V. ANNUAL REPORTS (2005 AND 2006) TO THE COUNCIL FOR TRADE IN GOODS

26. In Accordance with Article 7.1 of the Agreement, the Committee adopted, on the basis of the documents prepared by the Secretariat (G/LIC/W22 and G/LIC/W26), its annual reports to the Council for Trade in Goods (G/L/753 and G/L/800).

VI. FOURTH AND FIFTH TRANSITIONAL REVIEWS UNDER PARAGRAPH 18 OF THE PROTOCOL ON THE ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA (WT/L/432)

A. FOURTH TRANSITIONAL REVIEW ON THE ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA

27. The Fourth Transitional Review of the Implementation of China's commitments in the import licensing area pursuant to Paragraph 18 of its Protocol of Accession took place at the twenty-second meeting of the Committee (28 September 2005). The report to the CTG on the fourth transitional review was circulated in document G/LIC/14.

B. FIFTH TRANSITIONAL REVIEW ON THE ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA

28. The Fifth transitional review of the implementation of China's commitments in the import licensing area pursuant to Paragraph 18 of its Protocol of Accession took place at the twenty-fourth meeting of the Committee (30 October 2006). The report to the CTG on the fifth transitional review was circulated in document G/LIC/15.

ANNEX I

NOTIFICATIONS¹³

MEMBER ¹⁴	N/1 ¹⁵	DATE	N/2 ¹⁶	DATE	N/3 ¹⁷	DATE
ALBANIA			N/2/ALB/1	22.02.02	N/3/ALB/1	04.02.02
ANGOLA						
ANTIGUA & BARBUDA	N/1/ATG/1	31.01.02			N/3/ATG/2	30.01.02
ARGENTINA	N/1/ARG/2	22.01.98	N/2/ARG/10	15.09.06	N/3/ARG/3	15.09.06
ARMENIA	N/1/ARM/1	07.11.03			N/3/ARM/3	28.08.06
AUSTRALIA	N/1/AUS/1/Add.1	22.05.97	N/2/AUS/1	14.06.04	N/3/AUS/2	23.10.06
BAHRAIN	N/1/BHR/1	13.06.97			N/3/BHR/1	15.09.00
BANGLADESH	N/1/BGD/2	01.04.05			N/3/BGD/3	29.09.06
BARBADOS	N/1/BRB/1	04.10.96			N/3/BRB/3/A.1	14.09.06
BELIZE						
BENIN	N/1/BEN/1	10.02.97				
BOLIVIA	N/1/BOL/1	16.06.97			N/3/BOL/3	29.06.00
BOTSWANA						
BRAZIL	N/1/BRA/3	18.10.06	N/2/BRA/3	18.10.06	N/3/BRA/5	18.10.06
BRUNEI DARUSSALAM					N/3/BRN/1	10.04.97
BULGARIA	N/1/BGR/2	24.09.04			N/3/BGR/3	25.10.06
BURKINA FASO	N/1/BFA/1	10.02.97			N/3/BFA/1/A.1	18.12.00
BURUNDI	N/1/BUR/1	27.04.01			N/3/BUR/2	07.11.01
CAMBODIA						
CAMEROON	N/1/CMR/1	18.09.01			N/3/CMR/1	17.12.04
CANADA	N/1/CAN/1	16.02.96			N/3/CAN/5	26.10.06
CENTRAL AFRICAN REPUBLIC						
CHAD	N/1/TCO/2	16.08.00			N/3/TCO/2	20.08.01
CHILE	N/1/CHL/1	31.07.06			N/3/CHL/2	13.09.06
CHINA	N/1/CHN/5	20.03.06			N/3/CHN/5	03.10.06
COLOMBIA	N/1/COL/1/A.1	14.02.01			N/3/COL/4	18.10.06
CONGO						
COSTA RICA	N/1/CRI/1	23.01.96			N/3/CRI/3	15.02.01
COTE D'IVOIRE	N/1/CIV/1	08.02.02			N/3/CIV/1	08.02.02
CROATIA	N/1/HRV/3	04.04.05			N/3/HRV/3	04.04.05
CUBA	N/1/CUB/1	24.01.96			N/3/CUB/2/A.1	15.09.04
CONGO DEM. REP. OF THE	N/1/COD/1	19.10.06			N/3/COD/1	18.10.06
DJIBOUTI						
DOMINICA	N/1/DMA/1	22.02.01			N/3/DMA/1	23.02.01
DOMINICAN REPUBLIC	N/1/DOM/1	04.05.04			N/3/DOM/2	04.05.04
EC COMMISSION	N/1/EEC/2/A.4	10.01.03	N/2/EEC/2	14.07.97	N/3/EEC/8/ Add.1	16.06.06
ECUADOR	N/1/ECU/2	15.06.05			N/3/ECU/2	20.12.02
EGYPT						

¹³ The title "Date" refers to the date of issuance of the document.

¹⁴ The European Communities and its members States counted as one Member

¹⁵ Article 1.4(a) and/or Article 8.2(b) publications and/or legislation (date of latest communication)

¹⁶ Article 5.1-5.4 – Ad hoc New import licensing procedures or changes (date of latest communication)

¹⁷ Article 7.3 – Annual Replies to Questionnaire (date of latest communication)

MEMBER ¹⁴	N/1 ¹⁵	DATE	N/2 ¹⁶	DATE	N/3 ¹⁷	DATE
EL SALVADOR	N/1/SLV/1	03.02.04				
REP. OF THE FIJI ISLANDS	N/1/FJI/1	03.09.97			N/3/FJI/1	16.04.97
FMR. YUGOSLAV REP. OF MACEDONIA	N/1/MKD/1	29.10.04				
GABON	N/1/GAB/2	13.03.02				
GAMBIA					N/3/GMB/1	05.12.97
GEORGIA	N/1/GEO/1	08.04.02			N/3/GEO/3	04.09.06
GHANA	N/1/GHA/1	21.04.04			N/3/GHA/3	21.04.04
GRENADA	N/1/GRD/1	10.04.02			N/3/GRD/1	19.10.06
GUATEMALA	N/1/GTM/2	28.01.00			N/3/GTM/3	18.10.06
GUINEA BISSAU						
GUINEA, REP.OF						
GUYANA	N/1/GUY/1	10.04.02			N/3/GUY/2	28.10.03
HAITI	N/1/HTI/2	27.10.06			N/3/HTI/3	27.10.06
HONDURAS	N/1/HND/1	03.12.96				
HONG KONG, CHINA	N/1/HKG/5	07.01.03	N/2/HKG/2	09.02.98	N/3/HKG/10	20.09.06
ICELAND	N/1/ISL/1	26.01.99			N/3/ISL/3	28.10.04
INDIA	N/1/IND/9	25.09.06	N/2/IND/8	25.09.06	N/3/IND/8	22.09.06
INDONESIA	N/1/IDN/1	02.11.98	N/2/IDN/1	22.04.03	N/3/IDN/2	20.05.00
ISRAEL	N/1/ISR/1	19.10.06	N/2/ISR/1	19.10.06	N/3/ISR/1	19.10.06
JAMAICA	N/1/JAM/1	11.07.96	N/2/JAM/1	01.10.03	N/3/JAM/2	06.10.06
JAPAN	N/1/JPN/2/R.1	26.02.97	N/2/JPN/3	27.04.01	N/3/JPN/4	01.11.05
JORDAN	N/1/JOR/2/A.1	03.09.03	N/2/JOR/2	10.06.05	N/3/JOR/1	11.12.00
KENYA	N/1/KEN/1	12.06.03			N/3/KEN/2/A.1	12.06.03
KOREA, REP. OF	N/1/KOR/3	14.04.98			N/3/KOR/4	02.08.05
KUWAIT						
KYRGYZ REPUBLIC	N/1/KGZ/1	18.01.00			N/3/KGZ/2	09.10.06
LESOTHO						
LIECHTENSTEIN	N/1/LIE/2	26.10.00	N/2/LIE/2	26.10.00	N/3/LIE/4/A.1	14.04.03
MACAO, CHINA	N/1/MAC/2	03.02.04			N/3/MAC/9	05.10.06
MADAGASCAR	N/1/MDG/2	25.04.00			N/3/MDG/2	21.06.05
MALAWI	N/1/MWI/1	13.10.99			N/3/MWI/2	03.10.06
MALAYSIA			N/2/MYS/2	06.09.99	N/3/MYS/2	11.09.06
MALDIVES					N/3/MDV/1	15.04.02
MALI	N/1/MLI/1	27.08.01			N/3/MLI/2	27.08.01
MAURITANIA						
MAURITIUS	N/1/MUS/1/A.3	05.06.98			N/3/MUS/2	04.07.02
MEXICO	N/1/MEX/2	18.10.06			N/3/MEX/2	18.10.06
MOLDOVA	N/1/MDA/1	22.01.02			N/3/MDA/1	08.02.02
MONGOLIA	N/1/MNG/1	27.04.01			N/3/MNG/1	12.06.03
MOROCCO	N/1/MAR/1/A.2	20.01.05			N/3/MAR/5	19.10.06
MOZAMBIQUE						
MYANMAR						
NAMIBIA	N/1/NAM/1	29.10.02			N/3/NAM/4	29.10.02
NEPAL						
NEW ZEALAND	N/1/NZL/1	22.08.96			N/3/NZL/1/A.1	06.04.98
NICARAGUA	N/1/NIC/1	05.08.96				
NIGER	N/1/NER/1	12.01.98				
NIGERIA	N/1/NGA/1	18.02.98	N/2/NGA/2	18.02.98	N/3/NGA/2	18.02.98

MEMBER ¹⁴	N/1 ¹⁵	DATE	N/2 ¹⁶	DATE	N/3 ¹⁷	DATE
NORWAY	N/1/NOR/2	03.12.97			N/3/NOR/2/A.2	25.04.00
OMAN	N/1/OMN/1	20.02.01			N/3/OMN/2	01.04.05
PAKISTAN	N/1/PAK/1	29.05.96	N/2/PAK/1	29.05.96		
PANAMA	N/1/PAN/2	16.11.98	N/2/PAN/1	18.08.98	N/3/PAN/2	04.03.04
PAPUA NEW GUINEA			N/2/PNG/1	17.02.98		
PARAGUAY	N/1/PRY/1	12.06.03				
PERU	N/1/PER/2/R.1	31.05.05			N/3/PER/4	03.10.06
PHILIPPINES	N/1/PHL/1	14.04.98			N/3/PHL/4/A.1	03.10.03
QATAR	N/1/QAT/1	02.04.98			N/3/QAT/3	22.09.06
ROMANIA	N/1/ROU/3/A.1	16.01.06	N/2/ROU/4	05.10.05	N/3/ROU/3	09.10.06
RWANDA					N/3/RWA/1	20.07.06
ST. KITTS AND NEVIS	N/1/KNA/1	07.08.98				
ST. LUCIA	N/1/LCA/2	18.10.06	N/2/LCA/2	17.10.02	N/3/LCA/4	06.10.06
ST. VINCENT & GRENADINES						
SAUDI ARABIA					N/3/SAU/1	19.10.06
SENEGAL	N/1/SEN/1	23.10.02			N/3/SEN/2	23.10.02
SIERRA LEONE						
SINGAPORE	N/1/SGP/4	24.09.04	N/2/SGP/3	24.09.04	N/3/SGP/4	12.11.03
SOLOMON ISLANDS						
SOUTH AFRICA			N/2/ZAF/1	15.07.97	N/3/ZAF/4	17.09.02
SRI LANKA	N/1/LKA/1	20.05.03			N/3/LKA/1	27.05.03
SURINAME	N/1/SUR/1	15.12.03				
SWAZILAND	N/1/SWZ/1	04.10.96				
SWITZERLAND	N/1/CHE/2	26.09.00	N/2/CHE/2	26.09.00	N/3/CHE/4/A.1	14.04.03
TAIPEI, CHINESE	N/1/TPKM/6	20.12.04	N/2/TPKM/4	20.12.04	N/3/TPKM/2	30.07.04
TANZANIA						
THAILAND						
TOGO	N/1/TGO/1	12.06.03			N/3/TGO/1	12.06.03
TRINIDAD & TOBAGO	N/1/TTO/1	10.11.98			N/3/TTO/4	10.08.04
TUNISIA	N/1/TUN/1/A.1	11.02.99			N/3/TUN/3/A.5	20.02.06
TURKEY	N/1/TUR/4	30.09.03			N/3/TUR/6	20.10.06
UGANDA	N/1/UGA/1	03.10.96			N/3/UGA/1/A.2	07.10.05
UNITED ARAB EMIRATES	N/1/ARE/1	18.04.97			N/3/ARE/1	25.04.00
UNITED STATES	N/1/USA/3	24.04.06	N/2/USA/2	21.06.05	N/3/USA/4	25.06.06
URUGUAY	N/1/URY/3	25.09.01			N/3/URY/3	27.07.05
VENEZUELA	N/1/VEN/1	25.10.02	N/2/VEN/5	20.05.03	N/3/VEN/1	27.05.02
ZAMBIA	N/1/ZMB/2	18.02.04			N/3/ZMB/2	18.02.04
ZIMBABWE	N/1/ZWE/2	28.09.98			N/3/ZWE/1/A.2	16.03.01
TOTAL:	124	94	26		90	

ANNEX II

QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

The present questionnaire is designed to elicit information on import licensing and similar administrative procedures¹ maintained in and applied to the customs territories to which GATT 1994 applies. If different procedures or methods of licensing or similar administrative procedures are applied to different categories of products, to different countries of supply or to different modes of importation, they should be separately described in respect of each question as relevant.

Outline of systems

1. Give a brief description of each licensing system as a whole and, with respect to each, reply to the following questions as relevant, placing all of the material with respect to a given system in sequence together, and using cross references as appropriate when elements which have already been described are also present in another system.

Purposes and coverage of licensing

2. Identify each licensing system maintained and state what products, appropriately grouped, are covered.

3. The system applies to goods originating in and coming from which countries?

4. Is the licensing intended to restrict the quantity or value of imports, and if not, what are its purposes? Have alternative methods of accomplishing the purposes been considered and if so which? Why have they not been adopted?

5. Cite the law, regulation and/or administrative order under which the licensing is maintained. Is the licensing statutorily required? Does the legislation leave designation of products to be subjected to licensing to administrative discretion? Is it possible for the government (or the executive branch) to abolish the system without legislative approval?

Procedures

6. For products under restriction as to the quantity or value of imports (whether applicable globally or to a limited number of countries or whether established bilaterally or unilaterally):

I. Is information published, and where, concerning allocation of quotas and formalities of filing applications for licences? If not, how is it brought to the attention of possible importers? Of governments and export promotion bodies of exporting countries and their trade representatives? Is the overall amount published? The amount allocated to goods from each country? The maximum amount allocated to each importer? How to request any exceptions or derogations from the licensing requirement?

II. How is the size of the quotas determined: on a yearly, six-monthly or quarterly basis? Are there cases where the size of quota is determined on a yearly basis but licences are issued for

¹ Similar procedures are understood to include technical visas, surveillance systems, minimum price arrangements, and other administrative reviews effected as a prior condition for entry of imports.

imports on a six-monthly or quarterly basis? In the latter case, is it necessary for importers to apply for fresh licence on a six-monthly or quarterly basis?

- III. Are licences allotted for certain goods partly or only to domestic producers of like goods? What steps are taken to ensure that licences allocated are actually used for imports? Are unused allocations added to quotas for a succeeding period? Are the names of importers to whom licences have been allocated made known to governments and export promotion bodies of exporting countries upon request? If not, for what reason? (Indicate products to which replies relate.)
 - IV. From the time of announcing the opening of quotas, as indicated in I above, what is the period of time allowed for the submission of applications for licences?
 - V. What are the minimum and maximum lengths of time for processing applications?
 - VI. How much time remains, at a minimum, between the granting of licences and the date of opening of the period of importation?
 - VII. Is consideration of licence applications effected by a single administrative organ? Or must the application be passed on to other organs for visa, note or approval? If so, which? Does the importer have to approach more than one administrative organ?
 - VIII. If the demand for licences cannot be fully satisfied, on what basis is the allocation to applicants made? First come, first served? Past performance? Is there a maximum amount to be allocated per applicant and, if so, on what basis is it determined? What provision is made for new importers? Are applications examined simultaneously or on receipt?
 - IX. In the case of bilateral quotas or export restraint arrangements where export permits are issued by exporting countries, are import licences also required? If so, are licences issued automatically?
 - X. In cases where imports are allowed on the basis of export permits only, how is the importing country informed of the effect given by the exporting countries to the understanding between the two countries?
 - XI. Are there products for which licences are issued on condition that goods should be exported and not sold in the domestic market?
7. Where there is no quantitative limit on importation of a product or on imports from a particular country:
- (a) How far in advance of importation must application for a licence be made? Can licences be obtained within a shorter time-limit or for goods arriving at the port without a licence (for example, owing to inadvertency)?
 - (b) Can a licence be granted immediately on request?
 - (c) Are there any limitations as to the period of the year during which application for licence and/or importation may be made? If so, explain.
 - (d) Is consideration of licence applications effected by a single administrative organ? Or must the application be passed on to other organs for visa, note or approval? If so, which? Does the importer have to approach more than one administrative organ?

8. Under what circumstances may an application for a licence be refused other than failure to meet the ordinary criteria? Are the reasons for any refusal given to the applicant? Have applicants a right of appeal in the event of refusal to issue a licence and, if so, to what bodies and under what procedures?

Eligibility of importers to apply for licence

9. Are all persons, firms and institutions eligible to apply for licences:

- (a) under restrictive licensing systems?
- (b) under non-restrictive systems?

If not, is there a system of registration of persons or firms permitted to engage in importation? What persons or firms are eligible? Is there a registration fee? Is there a published list of authorized importers?

Documentational and other requirements for application for licence

10. What information is required in applications? Submit a sample form. What documents is the importer required to supply with the application?

11. What documents are required upon actual importation?

12. Is there any licensing fee or administrative charge? If so, what is the amount of the fee or charge?

13. Is there any deposit or advance payment requirement associated with the issue of licences? If so, state the amount or rate, whether it is refundable, the period of retention and the purpose of the requirement.

Conditions of licensing

14. What is the period of validity of a licence? Can the validity of a licence be extended? How?

15. Is there any penalty for the non-utilization of a licence or a portion of a licence?

16. Are licences transferable between importers? If so, are any limitations or conditions attached to such transfer?

17. Are any other conditions attached to the issue of a licence: (a) for products subject to quantitative restriction? (b) for products not subject to quantitative restriction?

Other procedural requirements

18. Are there any other administrative procedures, apart from import licensing and similar administrative procedures, required prior to importation?

19. Is foreign exchange automatically provided by the banking authorities for goods to be imported? Is a licence required as a condition to obtaining foreign exchange? Is foreign exchange always available to cover licences issued? What formalities must be fulfilled for obtaining the foreign exchange?

ANNEX III

Generally, information concerning the administration of automatic import licensing procedures can be found under the following headings of the replies to the Questionnaire on Import Licensing Procedures:

	<u>Relevant Article in Agreement</u>	<u>Relevant Question in Questionnaire</u>
1. Purposes of maintaining automatic import licensing procedures	Article 2.2(b)	No. 4
2. Product coverage	Article 1.4(a)	No. 2
3. Eligibility of importers to apply for automatic licences	Articles 2.2(a)(i) and 1.4(a)	No. 9(b)
4. Period of submission and processing of applications	Articles 2.2(a)(ii) and 2.2(a)(iii)	Nos. 7(a), 7(b) and 7(c)
5. Administrative body to be approached	Article 1.6	No. 7(d)
6. Refusal of applications	Article 1.7	No. 8
7. Application forms and other documents required on application	Article 1.5	No. 10
8. Availability of foreign exchange for imports	Article 1.9	No. 19

ANNEX IV

Generally, information concerning the administration of non-automatic import licensing procedures can be found under the following headings of the replies to the Questionnaire on Import Licensing Procedures:

		<u>Relevant Article in Agreement</u>	<u>Relevant Question in Questionnaire</u>
1.	Purpose	Articles 3.1 and 3.3	No. 4
2.	Product coverage under each non-automatic licensing system	Article 1.4(a)	No. 2
3.	Distribution of licences among supplying countries	Articles 3.5(a)(iii) and 3.5(c)	No.3
4.	Size of quotas	Articles 3.5(h), 3.5(i) and 3.5(l)	Nos. 6(I), 6(II) and 6(III)
5.	Eligibility of importers to apply for non-automatic licences	Article 3.5(e)	No. 9(a)
6.	Allocation of licences to applicants	Article 3.5(j)	Nos. 6(III) and 6(VIII)
7.	Period of processing of applications	Article 3.5(f)	Nos. 6(V) and 6(VIII)
8.	Period of licence validity	Article 3.5(g)	Nos. 6(VI) and 14
9.	Application forms and other documents required on application	Article 1.5	No. 10
10.	Administrative body to be approached	Article 1.6	No. 6(VII)
11.	Refusal of applications	Article 1.7	No. 8
12.	Availability of foreign exchange for imports	Article 1.9	No. 19

ANNEX V

QUESTIONS AND REPLIES RECEIVED UNDER THE REVIEW PROCEDURES AGREED BY THE COMMITTEE¹⁸

Questions		Replies	
G/LIC/Q/ATG/1 (23.10.01)	Questions from US to Antigua & Barbuda		
G/LIC/Q/ARE/1 (25.10.00)	Questions from US to UAE		
G/LIC/Q/ARG/1 (5.5.04)	Questions from US to Argentina	G/LIC/Q/ARG/2 (14.9.04)	Reply to US
G/LIC/Q/BGD/1 (25.10.00)	Questions from US to Bangladesh	G/LIC/Q/BGD/2 (17.7.02)	Replies to US
G/LIC/Q/BGR/1 (22.4.97)	Questions from New Zealand to Bulgaria		
G/LIC/Q/BHR/1 (25.10.00)	Questions from US to Bahrain	G/LIC/Q/BHR/2 (14.09.05)	Replies to US
G/LIC/Q/BOL/1 (25.10.00)	Question from US to Bolivia	G/LIC/Q/BOL/2 (13.3.02)	Replies to US
G/LIC/Q/BRA/1 (2.10.03)	Questions from US to Brazil	G/LIC/Q/BRA/2 (5.5.04)	Replies to US
G/LIC/Q/BRA/3 (8.11.04)	Questions from US to Brazil		
G/LIC/Q/BRA/3/Add.1 (9.6.06)	Questions from US to Brazil		
G/LIC/Q/BRB/1 (18.3.96)	Questions from Australia to Barbados		
G/LIC/Q/BRB/2 (8.3.96)	Questions from US to Barbados		
G/LIC/Q/CAN/1 (18.3.96)	Questions from Australia to Canada		
G/LIC/Q/CAN/2 (11.3.96)	Questions from EC to Canada		
G/LIC/Q/CAN/3 (8.3.96)	Questions from US to Canada		
G/LIC/Q/CHN/1 (6.8.02) *	Comments & questions from EC to China		
G/LIC/Q/CHN/2 (26.8.02) *	Questions from US to China		
G/LIC/Q/CHN/3 (27.8.02) *	Questions from Japan to China		
G/LIC/Q/CHN/4 (8.5.03) *	Questions from US to China	G/LIC/Q/CHN/10* (4.5.04)	Replies to US
G/LIC/Q/CHN/5 (14.8.03) *	Questions from EC to China		
G/LIC/Q/CHN/6 (1.9.03) *	Questions from Japan to China		
G/LIC/Q/CHN/7 (19.9.03) *	Questions from Chinese Taipei to China		
G/LIC/Q/CHN/8 (25.9.03)	Questions from US to China	G/LIC/Q/CHN/10 (4.5.04)	Replies to US
G/LIC/Q/CHN/9 (25.9.03) *	Question from US to China		
G/LIC/Q/CHN/11 (3.9.04) *	Comments and questions from Japan to China		
G/LIC/Q/CHN/12 (8.9.04) *	Questions from US to China		
G/LIC/Q/CHN/13 (16.9.04) *	Questions from EC to China		
G/LIC/Q/CHN/14 (22.9.04)	Questions from Chinese Taipei to China		
G/LIC/Q/CHN/15 (19.7.05)	Questions from US to China		
G/LIC/Q/CHN/16 (16.8.05) *	Questions from US to China		
G/LIC/Q/CHN/17 (7.9.05) *	Questions from EC to China		
G/LIC/Q/CHN/18 (14.8.06) *	Questions from US to China		
G/LIC/Q/CHN/19 (5.10.06) *	Questions from Australia to China		
G/LIC/Q/CRI/1 (11.3.96)	Question from EC to Costa Rica		

¹⁸ See G/LIC/4 for the Understanding reached by the Committee on Procedures for the Review of Notifications.

* Questions posed to China in the context of the transitional reviews and replies by China.

Questions		Replies	
G/LIC/Q/CRI/2 (18.3.96)	Question from Australia to Costa Rica		
G/LIC/Q/CRI/3 (8.3.96)	Questions from US to Costa Rica		
G/LIC/Q/CRI/4/Rev.1 (15.5.02)	Questions from US to Costa Rica	G/LIC/M/16, paragraph 1.2	Replies to US
G/LIC/Q/DMA/1(10.5.01)	Questions from US to Dominica	G/LIC/Q/DMA/2 (3.6.02)	Replies to US
G/LIC/Q/ECU/1 (8.3.96)	Questions from US to Ecuador	G/LIC/Q/ECU/2 (26.9.02)	Replies to US
G/LIC/Q/EEC/1 (15.5.02)	Question from US to EC	G/LIC/Q/EEC/2 (8.11.02)	Replies to US
G/LIC/Q/EEC/3 (8.11.04)	Question from US to EC		
G/LIC/Q/EEC/4 (8.11.04)	Question from US to EC		
G/LIC/Q/GHA/1(23.10.01)	Questions from US to Ghana		
G/LIC/Q/GTM/2 (08.11.06)	Questions from Mexico to Guatemala	G/LIC/Q/GTM/1 (13.6.06)	Replies to Mexico
G/LIC/Q/HTI/1 (25.10.00)	Questions from US to Haiti	G/LIC/Q/HTI/2 (9.4.03)	Replies to US
G/LIC/Q/IDN/1 (8.5.03)	Questions from US to Indonesia	G/LIC/Q/IDN/2 + Add.1 (29.9.03, 7.10.03)	Replies to US
G/LIC/Q/IDN/3 (2.10.03)	Questions from US to Indonesia	G/LIC/Q/IDN/5 (5.5.04)	Replies to US
G/LIC/Q/IDN/4 (21.10.03)	Questions from Australia to Indonesia	G/LIC/Q/IDN/6 + Add.1 (5.5.04, 1.6.04)	Replies to Australia
G/LIC/Q/IDN/7 (14.6.06)	Questions from US to Indonesia	G/LIC/Q/IDN/8 (20.6.06)	Replies to US
G/LIC/Q/IND/1	Questions from Australia to India	G/LIC/Q/IND/1 (5.8.96)	Replies to Australia
G/LIC/Q/IND/2	Questions from EC to India	G/LIC/Q/IND/2 (5.8.96)	Replies to EC
G/LIC/Q/IND/3	Questions from US to India	G/LIC/Q/IND/3 (5.8.96)	Replies to US
G/LIC/Q/IND/4 (24.4.98)	Questions from Japan to India		
G/LIC/Q/IND/5	Questions from Canada to India	G/LIC/Q/IND/5 (30.3.01)	Replies to Canada
G/LIC/Q/IND/6 (10.5.01)	Questions from US to India	G/LIC/Q/IND/7 (30.6.02)	Replies to US
G/LIC/Q/IND/8 (5.5.04)	Questions from US to India	G/LIC/Q/IND/9 (15.6.04)	Replies to US
G/LIC/Q/ISL/1 (25.10.00)	Questions from US to Iceland	G/LIC/Q/ISL/2 (26.6.01)	Replies to US
G/LIC/Q/JAM/1 (5.5.04)	Questions from US to Jamaica	G/LIC/Q/JAM/2 (27.9.04)	Replies to US
G/LIC/Q/JPN/1 (22.4.97)	Questions from New Zealand to Japan		
G/LIC/Q/JOR/1 (10.5.01)	Questions from US to Jordan	G/LIC/Q/JOR/2 (14.5.02)	Replies to US
G/LIC/Q/KOR/1 (8.4.97)	Questions from Japan to Korea	G/LIC/Q/KOR/3 (8.10.97)	Replies to Japan
G/LIC/Q/KOR/2 (22.4.97)	Questions from New Zealand to Korea	G/LIC/Q/KOR/4 (7.10.97)	Replies to New Zealand
G/LIC/Q/MDG/1 (25.10.00)	Questions from US to Madagascar		
G/LIC/Q/MLT/1	Questions from Australia to Malta	G/LIC/Q/MLT/1 (31.5.96)	Replies to Australia
G/LIC/Q/MLT/2 (25.10.00)	Questions from US to Malta	G/LIC/Q/MLT/3 (6.11.00)	Replies to US
G/LIC/Q/MUS/1	Questions from Australia to Mauritius	G/LIC/Q/MUS/1 (17.7.96)	Replies to Australia
G/LIC/Q/MUS/2	Questions from US to Mauritius	G/LIC/Q/MUS/2 (17.7.96)	Replies to US
G/LIC/Q/MYS/1(19.10.98)	Questions from US to Malaysia	G/LIC/Q/MYS/2 (5.1.00)	Replies to US
G/LIC/Q/MYS/3 (9.6.06)	Questions from US to Malaysia		
G/LIC/Q/MYS/4 (25.10.06)	Questions from Australia to Malaysia		
G/LIC/Q/NOR/1	Question from EC to Norway	G/LIC/Q/NOR/1 (8.7.96)	Reply to EC
G/LIC/Q/NOR/2	Questions from US to Norway	G/LIC/Q/NOR/2 (9.7.96)	Replies to US
G/LIC/Q/OMN/1 (10.5.01)	Questions from US to Oman		
G/LIC/Q/PHL/1 (17.4.00)	Questions from Canada to Philippines		
G/LIC/Q/POL/1 (10.5.01)	Questions from US to Poland		
G/LIC/Q/ROM/1(15.5.02)	Questions from US to Romania	G/LIC/Q/ROM/2 (29.5.02)	Replies to US
G/LIC/Q/TCD/1 (25.10.00)	Questions from US to Chad		

Questions		Replies	
G/LIC/Q/TUR/1 (15.5.02)	Questions from US to Turkey	G/LIC/Q/TUR/2 (8.10.03)	Replies to US
G/LIC/Q/TUR/3 (19.7.05)	Questions from US to Turkey	G/LIC/Q/TUR/4 (30.9.05)	Replies to US
G/LIC/Q/URY/1 (23.10.01)	Question from US to Uruguay	G/LIC/Q/URY/2 (22.10.02)	Replies to US
G/LIC/Q/USA/1 (23.6.06)	Questions from China to US	G/LIC/Q/USA/2 (06.11.06)	Replies to China
G/LIC/Q/VEN/1	Questions from Uruguay to Venezuela	G/LIC/Q/VEN/1 (18.10.00)	Replies to Uruguay
G/LIC/Q/VEN/2 (10.5.01)	Questions from US to Venezuela		
G/LIC/Q/VEN/3 (15.5.02)	Questions from US to Venezuela	G/LIC/Q/VEN/4 (8.5.03)	Replies to US
