

WORLD TRADE ORGANIZATION

RESTRICTED

G/LIC/M/6

3 November 1997

(97-4798)

Committee on Import Licensing

MINUTES OF THE MEETING HELD ON 15 OCTOBER 1997

Chairman: Mr. Tomasz Jodko (Poland)

1. The Committee on Import Licensing held its sixth meeting on 15 October 1997. The agenda proposed for the meeting, contained in WTO/AIR/689, was adopted as follows:

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A. Notifications under Articles 1.4(a) and/or 8.2(b) (Publications and/or Legislation)

2. The Chairman said that since the last meeting, the Secretariat had received notifications under Articles 1.4(a) and/or 8.2(b), from Australia, Bahrain, Bolivia, Fiji, India, Liechtenstein and Switzerland. The notifications were circulated in the G/LIC/N/1/- series. Copies of publications and laws and regulations referred to in the notifications were available for consultation in the Secretariat. He drew attention to the unsatisfactory situation with respect to these notifications where only 44 Members (EC and Member States counted as one) had submitted notifications, and requested those Members that had not yet provided any information concerning their laws, regulations and publications relevant to licensing to submit their notifications without further delay.

3. The representative of Korea informed the Committee that the rules and information relating to import licensing procedures applicable in Korea as provided in the Foreign Trade Act and its accompanying regulations had been amended effective 1 March 1997 and had been published in the Official Government Gazette. The import licensing system for monitoring foreign trade trends had been abolished by these revisions with a view to streamlining import procedures. More detailed information on these changes would be notified to the Committee later.

4. The Committee took note of the statement and the notifications made.

B. Notifications under Article 7.3 (Replies to Questionnaire on Import Licensing Procedures)

5. The Chairman informed the Committee that since the last meeting, the following 10 Members had submitted replies to the Questionnaire: Australia; Chile; European Communities; Hong Kong, China; Liechtenstein; Mali; Slovenia; South Africa; Switzerland and Uganda. The relevant notifications had been circulated in the G/LIC/N/3/- series. In addition to the notifications listed in the Airgram convening the meeting, the Committee had recently received two notifications from Canada and Poland, which had already been circulated in English and which would be subject to review at the next meeting. The Chairman said that compliance of Members with the notification obligation under this provision too was unsatisfactory. Despite the annual deadline of 30 September to submit replies to the Questionnaire, only a total of 44 Members (EC and Member States counted as one) had thus far submitted notifications. The replies to the Questionnaire received thus far included notifications from 11 Members in 1995, 22 in 1996 and only 19 in 1997. Stressing the importance of notifications for the effective implementation and functioning of the Agreement, he urged Members that had not yet submitted replies to the Questionnaire to do so without further delay.

6. The representative of Poland agreed with the Chairman's proposal that Poland's recently submitted notification be reviewed at the next meeting and said that her delegation would respond to any queries on the notification when these were received by her delegation in writing. Explaining the delay in submitting the notification, she said that the original intention of her delegation was to submit the replies to the Questionnaire together with Poland's new laws on foreign trade. However, as it became evident that the new laws would not enter into force before 1998, it was decided to submit the replies to the Questionnaire to give details of its import licensing procedures as they presently stood. The modifications to import licensing procedures introduced by the new laws would be notified to the Committee in due course.

7. The representative of New Zealand appreciated the responses provided by Korea to questions posed by his delegation at the previous meeting (circulated in document G/LIC/Q/KOR/4) and said that they were being studied by his authorities. He noted that neither Bulgaria nor Japan had yet answered the questions put to them concerning their notifications¹, and looked forward to receiving these responses as soon as possible.

8. The representative of Japan said that written responses to questions raised by New Zealand at the last meeting would be given as soon as his delegation received them from his capital.

9. The representative of Norway informed the Committee that no changes had been made to the import licensing system of Norway in 1997 and, therefore, the replies to the Questionnaire circulated in documents G/LIC/N/3/NOR/1 and Corr.1 still remained valid. A notification to this effect would be submitted shortly.

10. The representative of the United States reserved the right to raise questions on the notifications prior to the next meeting in writing.

11. The Committee took note of the notifications and statements.

¹The questions posed by New Zealand concerning the notifications by Bulgaria and Japan are in documents G/LIC/Q/BGR/1 and G/LIC/Q/JPN/1, respectively.

C. Notifications under Article 5 (institution of new import licensing procedures or changes)

12. The Chairman informed the Committee that since the last meeting, notifications under Article 5 had been received from the European Communities, Liechtenstein, South Africa and Switzerland. The notifications had been circulated in the G/LIC/N/2/- series.

13. The representative of the United States reserved the right to raise questions on the notifications prior to the next meeting in writing.

14. The Committee took note of the notifications and the statement.

D. Draft Report (1997) to the Council for Trade in Goods

15. The Chairman drew attention to the draft report of the Committee covering its activities in 1997 which had been circulated in document G/LIC/W/8 for consideration and adoption at the present meeting and said that the information in the report would be updated to take into account notifications received by the Secretariat up to 6 November 1997.

16. The Committee agreed to adopt its Report to the Council for Trade in Goods².

E. Other business

- Consolidated public notice - proposal by Korea

17. The representative of Korea informed the Committee of the system of Consolidated Public Notice of Korea based on Article 15 of the Foreign Trade Act, whereby import licensing procedures applicable to specific items for the protection of human, animal and plant life or health, public morals, environment, safety and security scattered among some 53 individual laws were consolidated according to the HS code of the item by the Korean Ministry of Trade, Industry and Energy. As for the operation of the Consolidated Public Notice, competent government agencies responsible for the specified items subject to the 53 individual laws submitted to the Ministry materials on export and import procedures of the items concerned. After reviewing and making adjustments of those submitted materials, the Ministry announced the Consolidated Public Notice of the items each quarter before it was implemented. If the import licensing procedure for an item prescribed in the individual law was not inconsistent with the Consolidated Public Notice, or if the licensing procedure for a specific item was not stipulated in an individual law, that which was stipulated in the Consolidated Public Notice prevailed. This enhanced transparency and predictability of licensing procedures, facilitated the identification of the import and export procedure for a specific item by simply referring the HS code of the item, and eliminated any inconvenience caused by separate export and import regulations operated by different government authorities. The Agreement on Import Licensing Procedures required each Member to notify its import licensing procedures to the Committee. The Committee reviewed these notifications with a view to enhancing transparency and predictability, and promoting the smooth flow of international trade through simplification of unnecessary administrative procedures. As could be seen from the review of notifications so far, import licensing procedures of each Member were scattered throughout many individual regulations, thus making it difficult to understand the procedures applicable to a specific item, causing inconvenience to exporters and importers, and disrupting the smooth flow of international trade. His delegation proposed that Members consider adopting a system similar to Korea's Consolidated Public Notice. Korea also proposed that the Committee review this system with a view to recommending it to Members, and consider drawing up a notification format to notify each Member's implementation to the Committee. Korea would continue to encourage other Members to adopt this system in this

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Committee and in other relevant fora, including the consultations on trade facilitation. Korea was willing to provide detailed information to Members upon request.³

18. The Committee took note of the statement.

F. Tentative dates for meetings in 1998

19. The following two dates are foreseen for the two meetings of the Committee in 1998 on the understanding that additional meetings would be convened if necessary: 24 April 1998 (10 a.m.) and 6 October 1998 (10 a.m.).

³The proposal by Korea was circulated in document G/LIC/W/9.