

**REPLIES TO THE QUESTIONNAIRE ON IMPORT
LICENSING PROCEDURES¹**

Notification under Article 7.3 of the Agreement
on Import Licensing Procedures
Notification for the year 2008

ARGENTINA

The following communication, dated 14 October 2010, is being circulated at the request of the delegation of Argentina.

Outline of systems

1. Two types of import licence are administered at present by the Secretariat of Industry and Trade: automatic and non-automatic. Automatic import licences, as their name suggests, are granted on the basis of a single requirement, namely compliance with all of the prescribed formalities. They are approved in all cases and are consistent with Article 2 of the World Trade Organization (WTO) Agreement on Import Licensing Procedures. Applications for non-automatic licences are consistent with Article 3 of this Agreement, which is incorporated into Argentine legislation by way of Law 24.425.

Automatic import licences currently being administered include the Sworn Declaration of Product Composition (DJCP), under the responsibility of the Secretariat of Industry and Trade, and the Prior Automatic Import Licence (LAPI), administered by the Directorate-General of Customs within the Federal Public Revenue Administration. Procedures for the DJCP are manual and applications are submitted to the Directorate of Imports of the Undersecretariat for Trade Policy and Management. The LAPI is the first computerized import licence processed by the MARIA computer system (SIM). It aims to monitor imports in advance, thereby providing an advance supply of descriptive statistical information for the historical records, which, in turn, enables their trend to be analysed. This would prove useful in the event of trade defence measures being adopted and avoid delays which could harm the various domestic sectors.

Non-automatic import licences are import certificates issued by the National Foreign Trade Management Directorate to importers who comply with current statutory requirements with regard to consumers' rights and submit the corresponding application to the Directorate-General of Customs when requesting clearance documents for imports of consumer goods.

¹ See G/LIC/3, Annex, for the Questionnaire.

Purposes and coverage of licensing

2. Automatic licences include the Prior Automatic Import Licence (LAPI), which covers imports of, *inter alia*, the following products: footwear parts, paper in reams and rolls, textiles (cotton and synthetic yarn), parts and spare parts of agricultural and self-propelled machinery, cardboard boxes, telephone accessories, wooden furniture (bedroom furniture and cupboards), dried egg yolks and canned peaches; and the Sworn Declaration of Product Composition (DJCP), which covers the textile and clothing industry.

Non-automatic licences include the Footwear Import Certificate, the Paper Import Certificate, the Bicycle Import Certificate, the Household Goods Import Certificate, the Toy Import Certificate, the Tyre and Tube Import Certificate, the Motorcycle Import Certificate, the Ball Import Certificate, the Textile Product Import Certificate, the Footwear Parts Import Certificate, the Miscellaneous Manufactured Articles Import Certificate, the Products of the Metal Industry Import Certificate, and the Yarn and Woven Fabrics Import Certificate.

3. The system covers goods originating in and coming from all countries.

4. Licensing does not restrict either the quantity or the value of imports. The purpose of the system is to assess product compliance with safety standards and to protect consumer rights by establishing the origin and source, as well as the composition and quality, of imported goods.

5. The legal basis is the Agreement on Import Licensing Procedures of the GATT 1994, which is incorporated into Argentine legislation by way of Law 24.425.

Licensing is statutorily required for certain types of goods, the Ministry of Industry being the sole body to designate, through resolutions, products subject to licensing.

The Executive does not need legislative approval to abolish the import licensing system.

Procedures

6.I. These are non-quota licences. Licence application, processing and notification procedures are published in the Official Journal.

The Directorate-General of Customs handles such matters.

Some derogations were provided for in the current regulations for each licence. Exceptions are analysed on an individual basis in response to a written submission by the interested party to the Undersecretariat for Trade Policy and Management (Secretariat of Industry and Trade).

II. Licences administered by the Secretariat of Industry and Trade Enterprises are not subject to quotas.

III. Safety requirements apply to both importers and domestic manufacturers.

Certificates are issued and must be presented together with the rest of the documentation required for inward customs clearance.

Licences administered by the Secretariat of Industry and Trade are not subject to quotas and are therefore not added to quotas for a succeeding period.

The names of importers to whom licences have been allocated are made known upon request.

IV. Licences administered by the Secretariat of Industry and Trade are not subject to quotas.

V. LAPI and DJCP: a minimum of two and a maximum of ten working days.

Import certificates for footwear, paper, household goods, bicycles, toys, tyres and tubes, motorcycles, balls, textile products, footwear parts, miscellaneous manufactured articles, products of the metal industry, and yarns and woven fabrics: a minimum of ten and a maximum of 60 calendar days, using the simultaneous examination of applications method.

VI. See question 14 below on periods of import licence validity.

VII. LAPI: The Directorate-General of Customs alone. The Secretariat of Industry and Trade is also involved in cases of changed circumstances where licences are cancelled to amend some of the data furnished.

DJCP: The Secretariat of Industry and Trade alone.

Import certificates: The Secretariat of Industry and Trade.

VIII. The simultaneous examination of applications method is used for the processing of all import licences.

IX. See point IV above.

X. The above-mentioned licensing procedures do not include such a mechanism.

XI. No.

7. (a) Applications for licences may be submitted on any working day prior to the customs clearance of the goods.

The only cases in which licences may be obtained within a shorter time-limit are applications for automatic import licences either for perishable goods or critical inputs for a sector of the domestic industry or for products which are covered by the licence and the value or quantity of which is minimal in relation to the rest of the goods making up the import.

(b) The minimum lengths of time specified in point V above apply in all cases.

(c) There are no restrictions as to the period of the year during which an application for a licence may be made.

(d) Licence applications are examined by the Secretariat of Industry and Trade.

8. The only reason for a non-automatic import licence being refused is failure to meet the ordinary criteria. The interested party is always notified of such reasons so that the errors detected can be rectified.

Eligibility of importers to apply for licence

9. All importers are eligible to apply for licences, the only requirement being inclusion in the Directorate-General of Customs' Register of Importers.

Documentation and other requirements for application for licence

10. The information required for import licence applications is that specified on the respective forms (see Annexes to current regulations).

11. - The LAPI (Prior Automatic Import Licence), processed by the MARIA computer system (SIM)
- The DJCP (Sworn Declaration of Product Composition)
 - The CIC (Footwear Import Certificate)
 - The CIP (Paper Import Certificate)
 - The CIAH (Household Goods Import Certificate)
 - The CIB (Bicycle Import Certificate)
 - The CICC (Tyre and Tube Import Certificate)
 - The CIJ (Toy Import Certificate)
 - The CIM (Motorcycle Import Certificate)
 - The CIP (Ball Import Certificate)
 - The CIPT (Textile Product Import Certificate)
 - The CIPC (Footwear Parts Import Certificate)
 - The CIMD (Miscellaneous Manufactured Articles Import Certificate)
 - The CIPM (Products of the Metal Industry Import Certificate)
 - The CIHT (Yarn and Woven Fabrics Import Certificate)

12. Pursuant to Resolution No. 44/2003, there is currently no licensing fee or administrative charge.

13. No deposit or advance payment requirement is associated with the issue of licences.

Conditions of licensing

14. The periods of validity of the various import licences are as follows:

- LAPI: 60 calendar days as from the date of processing.
- DJCP: 360 calendar days as from the date of issue.
- CIC: 60 calendar days as from the date of issue.
- CIP: 120 calendar days as from the date of issue.
- CIAH: 60 calendar days as from the date of issue.
- CIB: 60 calendar days as from the date of issue.
- CICC: 60 calendar days as from the date of issue.
- CIJ: 60 calendar days as from the date of issue.
- CIM: 60 calendar days as from the date of issue.
- CIP: 120 calendar days as from the date of issue.
- CIPT: 60 calendar days as from the date of issue.
- CIPC: 60 calendar days as from the date of issue.
- CIMD: 60 calendar days as from the date of issue.
- CIPM: 60 calendar days as from the date of issue.
- CIHT: 60 calendar days as from the date of issue.

Licences may not be extended. A new licence may, however, be issued, for which the importer can commence the application procedures as far in advance as he considers appropriate.

15. There are no penalties for the non-utilization of a licence or portion of a licence.

16. Licences are non-transferable and are only delivered to the holders themselves or their authorized and duly accredited representatives or agents.

17. No other conditions are attached to the issue of a licence.

Other procedural requirements

18. No other administrative procedures are required prior to importation.

19. The banking authorities are not involved in import licensing.
