

WORLD TRADE ORGANIZATION

G/LIC/N/3/ATG/1
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(01-4131)

Committee on Import Licensing

Original: English

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

Notification under Article 7.3 of the
Agreement on Import Licensing Procedures¹

ANTIGUA AND BARBUDA

Outline of system

1. The Antigua and Barbuda licensing system is regulated by the External Trade (Import Restriction) Act, Cap 163, Volume IV of the Revised Laws of Antigua and Barbuda (1992) (Attachment I²), Law Revision (Miscellaneous) (Amendments) (No. 2) Act, 2000, Section 4 (Attachment II²), Statutory Instruments 1995, No. 13 (Schedule I, Countries which are not Members of the GATT; Schedule II, Import prohibition from countries which are not Members of the Organization of Eastern Caribbean States (OECS) or the Caribbean Common Market (CARICOM); Schedule III, Import prohibition from countries which are not Members of the Organization of Eastern Caribbean States) (Attachment III²), and Statutory Instruments 1999, No. 42 (Attachment IV²) (Chemicals Controlled by the Montreal Protocol). The licensing system is administered by the Trade Division of the Ministry of Economic Development, Trade, Industry and Commerce.

Purpose and coverage of licensing

2. Licences are automatic except for those items listed below:

Caribbean Common Market (CARICOM) Treaty Obligations

<u>Tariff numbers</u>	<u>HS Equivalent description of goods</u>
ex 1513.10 1517	Coconut (copra) oil, crude or refined Margarine, imitation lard and lard substitutes Shortening edible mixtures or preparations of animal or vegetable fats or oils
1902	Pasta products
2202	Aerated beverages
2203.001	Beer
2203.002	Stout
2203.009	Ale
ex 2203.009	Porter
2804.40	Oxygen in cylinder
2811.21	Carbon dioxide in cylinder
2901.02	Acetylene in cylinder

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

² Available for consultation in the Secretariat (Market Access Division) (in English only).

ex 3406	Candles
8419.10	Solar water heaters
9401.60	Chairs and other seats of wood and upholstered fabric
9403.60	Other furniture of wood and upholstered fabric
9603	Mops

Imports of animals, poultry, livestock and poultry products, plants and plant products, pesticides, drugs and antibiotics, firearms, fireworks, arms and ammunition and other products

<u>Tariff numbers</u>	<u>HS equivalent description of goods</u>
ex 0105	Baby chicks, point of lay pullets
Chapter 2	Meat and edible offal
0301-0304	Fish – fresh, frozen or chilled
0306, 0307	Crustaceans and molluscs whether in shell or not (live or dead), chilled, frozen or salted etc.
0407	Eggs in shell
Chapter 7	Edible vegetables and certain roots and tubers
ex 0803	Bananas, fresh or dried
0910	Thyme, saffron, bay leaves, ginger and other spices
2523	Portland cement
Chapter 30	Pharmaceuticals
Chapter 31	Fertilizers
3208, 3209, 3210	Paints, varnishes and lacquers
Chapter 36	Explosives, pyrotechnic products, matches, pyrophoric alloys and certain combustible preparations
ex 6109	T-shirts
6810.11	Concrete blocks
Chapter 93	Arms and ammunition, parts and accessories thereof

Chemicals controlled by the Montreal Protocol

<u>Chemical code name</u>	<u>Chemical short formula</u>	<u>Chemical name</u>	<u>CAS-Number</u>
<u>Annex A, gr. II</u>			
CFC-11	CCl ₃ F	Fluorotrichloromethane	75-69-4, 83589-40-6
CFC-12	CCl ₂ F ₂	Difluorodichloromethane	75-71-8
CFC-113	C ₂ Cl ₃ F ₃	Trichlorotrifluoroethane	76-13-1, 354-58-5, 26523-64-8
CFC-114	C ₂ Cl ₂ F ₄	Dichlorotetrafluoroethane	76-14-2, 374-07-2, 1320-37-2
CFC-115	C ₂ ClF ₅	Chloropentafluoroethane	76-153-12770-91-1
Halon-1211	CF ₂ BrCl	Bromochlorodifluoromethane	353-59-3
Halon-1301	CBrF ₃	Bromotrifluoromethane	175-63-8
Halon-2402	C ₂ F ₄ Br ₂	Dibromotetrafluoroethane	124-73-2, 25497-30-7, 27336-23-8

Annex B, gr. II

CFC-13	CClF ₃	Trifluorochloromethane	75-72-9
CFC-111	C ₂ FCl ₅	Fluoropentachloroethane	354-56-3

<u>Chemical code</u> <u>name</u>	<u>Chemical short</u> <u>formula</u>	<u>Chemical name</u>	<u>CAS-Number</u>
CFC-112	C ₂ F ₂ Cl ₄	Difluorotetrachloroethane	76-11-9, 76-12-0
CFC-211	C ₃ FCI ₇	Fluoroheptachloropropane	
CFC-212	C ₃ FCI ₇	Difluorohexachloropropane	3182-26-1
CFC-213	C ₃ F ₃ Cl ₅	Trifluoropentachloropropane	60285-54-3, 134237-31-3
CFC-214	C ₃ F ₄ Cl ₄	Tetrafluorotetrachloropropane	677-68-9, 29255-31-0
CFC-215	C ₃ F ₅ Cl ₃	Pentafluorotrichloropropane	28109-69-5
CFC-216	C ₃ F ₆ Cl ₂	Hexafluorodichloropropane	661-97-2, 662-01-1, 1652-80-8, 2729-284, 42560
CFC-217	C ₃ F ₇ Cl	Heptafluorochloropropane	135401-87-5
<u>Annex B, gr. II</u>			
*	CCl ₄	Carbon tetrachloride	56-23-5
<u>Annex B, gr. HI</u>			
*	C ₂ H ₃ Cl ₃	1,1,1-trichloroethane (also called methyl chloroform)	71-55-6
<u>Annex C, gr. I</u>			
HCFC-21	CHCl ₂	Fluorodichloromethane	75-43-4
HCFC-22	CHClF ₂	Difluorochloromethane	75-45-6
HCFC-31	CH ₂ FCI	Fluorochloromethane	593-70-4
HCFC-121	C ₂ HClF	Fluorotetrachloroethane	354-11-0, 354-14-3, 130879-71-9, 134237-32-4
HCFC-122	C ₂ HF ₂ Cl ₃	Difluorotrichloroethane	354-15-4
HCFC-123	CHF ₃ Cl	Trifluorodichloroethane	306-83-2
HCFC-124	C ₂ HF ₄ Cl	Tetrafluorochloroethane	354-25-6
HCFC-131	C ₂ H ₂ FCI ₃	Fluorotrichloroethane	811-95-0, 134237-34-6
HCFC-132	C ₂ H ₂ F ₂ Cl ₂	Difluorodichloroethane	1649-08-7
HCFC-133	C ₂ H ₂ F ₃ Cl	Trifluorochloroethane	75-88-7
HCFC-141	C ₂ H ₃ FCI ₂	Fluorodichloroethane	1717-00-6
HCFC-141b	C ₂ H ₃ FCI ₂	Fluorodichloroethane	1717-00-6, 25167-88-8
HCFC-142	C ₂ H ₃ FCI	Difluorochloroethane	
HCFC-142b	C ₂ H ₃ F ₂ Cl	Difluorochloroethane	75-68-3
HCFC-151	C ₂ H ₄ FCI	Fluorochloroethane	1615-75-4
HCFC-221	C ₃ HFCI ₆	Fluorohexachloropropane	134190-54-8
HCFC-222	C ₃ HF ₂ Cl ₅	Difluoropentachloropropane	116867-32-4
HCFC-223	C ₃ HF ₃ Cl ₄	Trifluorotetrachloropropane	338-75-0, 460-69-5-9
HCFC-224	C ₃ HF ₄ Cl	Tetrafluorotrichloropropane	422-51-5, 679-85-6
HCFC-225	C ₃ HF ₅ Cl ₂	Pentafluorodichloropropane	127564-92-5
HCFC-225ca	C ₃ HF ₅ Cl ₂	Pentafluorodichloropropane	422-56-0
HCFC-225cb	C ₃ HF ₅ Cl ₂	Pentafluorodichloropropane	507-55-1
HCFC-226	C ₃ HF ₆ Cl	Hexafluorochloropropane	422-55-9
HCFC-231	C ₃ H ₂ FCI ₅	Fluoropentachloropropane	134190-48-0

<u>Chemical code</u> <u>name</u>	<u>Chemical short</u> <u>formula</u>	<u>Chemical name</u>	<u>CAS-Number</u>
HCFC-232	C ₃ H ₂ FCl ₄	Difluorotetrachloropropane	819-00-1, 127564-82-3, 134237-39-1
HCFC-233	C ₃ HF ₃ Cl ₃	Trifluorotrichloropropane	61623-04-9
HCFC-234	C ₃ H ₂ F ₄ Cl ₂	Tetrafluorodichloropropane	4071-01-6
HCFC-235	C ₃ H ₂ F ₅ Cl	Pentafluorochloropropane	422-02-6
HCFC-241	C ₃ H ₃ FCl ₄	Fluorotetrachloropropane	134190-49-1
HCFC-242	C ₃ H ₃ F ₂ Cl ₃	Difluorotrichloropropane	
HCFC-243	C ₃ H ₃ F ₂ Cl ₂	Trifluorodichloropropane	7126-01-4
HCFC-244	C ₃ H ₃ F ₄ Cl	Tetrafluorochloropropane	19041-01-2
HCFC-251	C ₃ H ₃ FCl ₃	Fluorotrichloropropane	
HCFC-252	C ₃ H ₄ FCl ₂	Difluorodichloropropane	7126-15-0
HCFC-253	C ₃ H ₄ F ₃ Cl	Trifluorochloropropane	460-35-5
HCFC-261	C ₃ H ₅ FCl ₂	Fluorodichloropropane	7799-56-6
HCFC-262	C ₃ H ₅ F ₂ Cl	Difluorochloropropane	430-93-3
HCFC-271	C ₃ H ₆ FCl	Fluorochloropropane	

Annex C, gr. II

*	CHFB ₂	Fluorobromomethane	
HBFC-22B1	CHF ₂ Br	Difluorobromomethane	1511-62-2
*	CH ₂ FBr	Fluorobromomethane	
*	C ₂ HFB ₂	Fluorotetrabromomethane	
*	C ₂ HF ₂ Br ₃	Difluorotribromomethane	
*	C ₂ HF ₃ Br ₂	1,1,1-Trifluoro-2-2	
*	C ₂ HF ₄ Br	Tetrafluorobromomethane	124-72-1
*	C ₂ C ₂ FBr ₃	Fluorotribromoethane	
*	C ₂ H ₂ F ₂ Br ₂	Difluorodibromoethane	75-82-1-392-96-8
*	C ₂ H ₂ F ₃ Br	Trifluorobromoethane	421-06-7
*	C ₂ H ₃ FBr ₂	Fluorodibromoethane	958-97-4
*	C ₂ H ₃ F ₂ Br	Difluorobromoethane	
*	C ₂ H ₄ FBr	Fluorobromoethane	762-49-2
*	C ₃ HFB ₆	Fluorohexabromopropane	29470-94-8, 134273-35-7
*	C ₃ HF ₂ Br ₅	Difluoroentabromopropane	
*	C ₃ HF ₃ Br ₄	Trifluorotetrabromopropane	
*	C ₃ HF ₄ Br ₃	Tetrafluorotribromopropane	
*	C ₃ HF ₅ Br ₂	Pentafluorodibromopropane	
*	C ₃ HF ₆ Br	Hexafluorobromopropane	63905-11-3
*	C ₃ H ₂ FBr ₅	Difluorotetrabromopropane	
*	C ₃ H ₂ F ₃ Br ₃	Trifluorotribromopropane	
*	C ₃ H ₂ F ₄ Br ₂	Tetrafluorodibromopropane	
*	C ₃ H ₂ F ₅ Br	Pentafluorobromopropane	422-01-3
*	C ₃ H ₃ FBr ₄	Fluorotetrabromopropane	
*	C ₃ H ₃ F ₂ Br ₃	Difluorotribromopropane	
*	C ₃ H ₃ F ₃ Br ₂	Trifluorodibromopropane	
*	C ₃ H ₃ F ₄ Br	Tetrafluorobromopropane	679-84-5
*	C ₃ H ₄ FBr ₃	Fluorotribromopropane	
*	C ₃ H ₄ F ₂ Br ₂	Difluorodibromopropane	
*	C ₃ H ₄ F ₃ Br	Trifluorobromopropane	

<u>Chemical code</u> <u>name</u>	<u>Chemical short</u> <u>formula</u>	<u>Chemical name</u>	<u>CAS-Number</u>
*	C ₃ H ₅ FBr ₂	Fluorodibromopropane	
*	C ₃ H ₅ F ₂ Br	Difluorobromopropane	
*	C ₃ H ₆ FBr	Fluorobromopropane	352-91-0

Annex E

Methyl bromide CH₃Br Methyl bromide

4. Automatic import licensing is for statistical purposes. Non-automatic import licensing is for the purpose of administering import restrictions maintained pursuant to the Caribbean Common Market, The External Trade (Import Restriction) Act, Cap. 163, Volume IV of the Revised Laws of Antigua and Barbuda (1992), Statutory Instruments 1995, No. 13 (Schedule I), Caribbean Community (CARICOM) Treaty Obligations Schedules II and III of Statutory Instruments 1995, No. 13, and Statutory Instruments 1999, No. 42 (chemicals controlled by the Montreal Protocol).

5. The licensing system is a statutory requirement. Authority exists to suspend specific items in the system, whenever it is determined that such action is appropriate. By law, notice of such action must be published in the Government Gazette.

Procedures

6. For products under restriction:

I. Information relating to quotas, formalities of filing applications for licences, exceptions and derogations is published in the Government Gazette.

II. Quotas are determined on an annual basis.

III. Licences are allotted to importers who are not producers of like products. Regulations do require licensees to utilise a specific percentage of licences issued. Licensees are required to surrender unused amounts. Unused amounts are then reallocated to other eligible importers. The list of importers to whom licences have been allocated is not published in the Government Gazette, but is forwarded to the Customs Department.

IV. There is no specified period from the time of announcing the opening of quotas to submission of applications for licences.

V. Applications for licences are processed within 24 hours. Most applications are processed within four hours.

VI. Import licences in most cases are granted within 24 hours of submission of application.

VII. In most cases licence applications are considered by one administrative body. However, imports of animals, poultry, livestock and poultry products are required to conform with the Animal Health Legislation (Cap. 110). They must be accompanied by certificates from the Ministry of Agriculture of the exporting country. In addition inspection in Antigua is undertaken by the Veterinary Clinic of the Ministry of Agriculture. Imports of plants and plant products are required to conform with the Plant Health Legislation (Cap. 102). Imports of pesticides require a licence from the Pesticide Control Board prior to importation and in accordance with Act No. 15 of 1973 and SI No. 46 of 1981. Imports of drugs and antibiotics require a licence from the Minister of Health under the Dangerous Drugs Order (Caps. 225

and 222), and Statutory Instruments Nos. 46 of 1981 and 18 of 1989. Firearms, fireworks, arms and ammunition require a licence from the Commissioner of Police prior to importation in accordance with Act No. 18 (Cap. 310) of 1975.

- VIII. Licences are issued mainly on the basis of past performance. A portion of the quota is allocated to new importers. Applications are examined on receipt.
- IX. There are no bilateral quotas or export restraint arrangements. Export permits from exporting countries are not required.
- X. Export permits from exporting countries are not required.
- XI. No licences are issued on condition that goods should be exported and not sold in the domestic market.
7. There is no quantitative limit on importation of a product or on imports from a particular country.
- (a) There is no specific time-period as to when the licence application must be submitted. However a licence application must be submitted and approved before the commodity's arrival in the country.
- (b) Under certain circumstances, a licence can be granted immediately upon request.
- (c) There are no limitations as to the period of the year during which applications for licence and/or importation may be made.
- (d) An importer may have to approach more than one administrative organ in connection with a licence application.
8. None. The reasons for any refusal are not given to the applicant in writing. In the event of refusal to issue a licence, the applicant has a right of appeal to the Permanent Secretary and Ministers of the relevant Ministries.

Eligibility of importers to apply for licence

9. All persons, firms and institutions are eligible to apply for licences.

Documentational and other requirements for application for licence

10. A sample application form (Application for licence to import) (Attachment V³) is available for reference in the Trade Division of the Ministry of Economic Development, Trade, Industry and Commerce. An importer is required to submit the following documents with the application: Import prohibition is applied on certain products, generally for health, security, moral or environmental reasons. Imports of animals, poultry, livestock and poultry products are required to conform with the Animal Health Legislation (Cap. 110). They must be accompanied by certificates from the Ministry of Agriculture of the exporting country. In addition inspection in Antigua is undertaken by the Veterinary Clinic of the Ministry of Agriculture. Imports of plants and plant products are required to conform with the Plant Health Legislation (Cap. 102). Imports of pesticides require a licence from the Pesticide Control Board prior to importation and in accordance with Act No. 15 of 1973 and SI No. 46 of 1981. Imports of drugs and antibiotics require a licence from the Minister of Health

³ Available for consultation in the Secretariat (Market Access Division) (in English only).

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11. Upon actual importation, an importer is required to submit the approved import licence or a copy thereof.

12. There is no licensing fee or administrative charge. There is a ten cents per form charge for each licence form. A total of three licence forms is required.

13. There is no deposit or advance payment requirement associated with the issuance of licences.

Conditions of licensing

14. A licence is valid in most cases for one month from the date of issue. The validity can be extended if the applicant so requests.

15. There is no penalty for the non-utilization of a licence or any portion of it.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

Other procedural requirements

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported to a maximum of EC\$100,000. No licence is required as a condition of obtaining foreign exchange. Permission is required from the Ministry of Finance for foreign exchange exceeding EC\$100,000. Foreign exchange is easily available from local banks and no particular formalities are needed.
