

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

Notification under Article 7.3 of the Agreement on
Import Licensing Procedures

BURKINA FASO

The following communication, dated 8 January 1997, has been received from the delegation of Burkina Faso.

Outline of systems

1. Two types of documents may be required for importing products into Burkina Faso:
 - A Special Import Authorization (ASI) or Special Export Authorization (ASE) for products subject to such authorization;
 - Prior Import Declaration (DPI) for products subject to such declaration;
 - National Conformity Certificate.

In the case of some products, the Special Import Authorization is conditional upon obtaining approval from the competent technical service.

Purposes and coverage of licensing

2. (i) Products subject to the Special Import Authorization conditional upon obtaining approval from the competent technical service
 - Civilian weapons and ammunition: approval of the Ministry of Territorial Administration.
 - Military effects and explosives: approval of the Ministry of Defence.

They are subject to this regime for reasons of security.

- (ii) Products subject to the Restrictive Special Import Authorization
 - Sugar: this product is subject to this system until 1998 in order to allow for the organization of the sugar industry.

(iii) Products subject to the Special Export Authorization

Only ivory is subject to a Special Export Authorization (ASE). The ASE is non-automatic and may be assimilated to a prohibition following Burkina Faso's accession to an international convention.

(iv) Products subject to a Prior Import Declaration (DPI)

With the exception of the following list, all imports with an f.o.b. value of at least CFAF 500,000 (F 5,000) are subject to the Prior Import Declaration under the Import Verification Programme (Preshipment inspection).

The exempted products are:

- Gold;
- precious stones;
- works of art;
- military weapons, munitions and effects,
- pyrotechnical explosives and articles;
- live animals;
- perishable consumer goods (fresh or chilled);
- salvaged metals;
- plants;
- cinematographic films;
- newspapers and magazines;
- used articles or personal effects;
- personal gifts;
- postal packages;
- commercial samples;
- crude petroleum;
- gifts in kind to the Government;
- supplies for diplomatic missions.

(v) Products subject to the National Conformity Certificate

- Cold curing/vulcanising glues (cement);
- canned food of animal origin;
- wheat flour;
- edible vegetable oils;
- pesticides, insecticides and derivatives;
- milk;
- type R06 or R20 saline batteries;
- tyres and inner tubes;
- rice;
- granulated or powdered sugar.

3. The various systems are applied without distinction as to country of origin or provenance.

4. These products are subject to this regime essentially for reasons of security and health. Apart from sugar and ivory, which are restricted, all other products are subject to these systems for monitoring and control purposes.

5. All these systems are imposed not by laws but by means of regulations: Decrees and Notices to importers. The Government may amend them without recourse to the National Assembly.

Procedures

6.I All products subject to the regulations are brought to the attention of importers and exporters through the press and radio and the posting of notices.

6.II In the case of sugar, the amount that may be imported supplements domestic production. These regulations will remain in force until 1998. For the time being this supplementary quantity is imported by a national company with which the State has signed a framework contract that expires in 1998.

6.III Importers/exporters who have been granted authorizations are not obliged to carry out the operation.

7. Applications for import authorizations must be made prior to importation. No minimum time-limit is imposed. Import authorizations are granted in 24 hours. Prior import declarations are issued on the spot. With the exception of products subject to prior approval, all administrative formalities are carried out by a single body.

8. The reasons for a refusal are always given to applicants. Apart from non-compliance with the regulations, the most frequent reason for refusal is that the applicant is in arrears with the tax authorities. Once the situation has been set right, the authorization is granted.

Eligibility of importers to apply for a licence

9. In order to obtain an import authorizations or submit a prior import declaration it is necessary to have:

- A professional trader's card,
- a registration number from the Trade Register,
- a Single Financial Identification (IFU) number.

Any trader who meets these conditions is eligible to apply for an import authorization or to submit a prior import declaration. In the case of weapons and ammunition, it is necessary to be approved by the Ministry of Territorial Administration.

Documentational and other requirements for application for a licence

10. The main information is:

- Name and forenames;
- nature of goods;
- quantity and value;
- origin and provenance;
- customs nomenclature.

The proforma invoice has to be attached to the application.

11. Upon actual importation the following documents are required:

- Certificate of verification (if the f.o.b. value = F 1,500);

- certificate of conformity (if required for the product);
- transport document (air waybill, consignment note).

12. The fees for the import authorization amount to F 20 (form + F 2 fiscal stamp). The fees for the import declaration are F 3.

13. There is no requirement of payment of a deposit or advance payment to obtain an authorization.

Conditions of licensing

14. Import authorizations and declarations are valid for six months, which may be extended once on request.

15. There is no penalty for the non-utilization of an authorization or prior import declaration.

16. Authorizations are not transferable.

17. Some authorizations are subject to the grant of technical approval: Ministry of Health (medicines), Ministry of Territorial Administration (civilian weapons and ammunition), Ministry of Defence (explosives and military effects).

Other procedural requirements

18. No.

19. Obtaining foreign exchange is not conditional upon the grant of the authorization or the declaration, but settlement is conditional upon presentation of the prior declaration and verification certificate. Availability of foreign exchange at all times is not a matter of course: to obtain foreign exchange it is necessary to fulfil the banking procedural requirements.