

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

**NOTIFICATION UNDER ARTICLE 7.3 OF THE
AGREEMENT ON IMPORT LICENSING PROCEDURES**

BARBADOS

The following notification, dated 15 September 1995, has been received from the Permanent Mission of Barbados.

Outline of System

1. The Miscellaneous Controls Act Chapter 329¹ of the laws of Barbados is employed by the Government of Barbados to regulate the importation of goods which are subject to the licensing regime.

Purposes and Coverage of Licensing

2. Miscellaneous Controls (General Open Import Licence) Regulations - products as listed at Annex I.

3. The system applies to goods originating outside Caricom (First Schedule of Annex I) and goods originating within Caricom (Third Schedule of Annex I).

4. It is intended that the licensing system would restrict the quantity of imports of what are considered to be sensitive goods.

5. The Miscellaneous Controls Act Chapter 329 is the Law under which the licensing is maintained and licensing is therefore statutorily required. The legislation does not specify that products should be subjected to administrative discretion; however, from time to time discretion has been used. To abolish the system approval must be had from the legislature.

Procedures

6. I. There is no publication of information concerning the allocation of quotas, neither are there publications with respect to the filing of applications for licences.

¹English only.

It is the importer who approaches the Government requesting permission to import the product(s). The domestic importer then approaches the country or their trade representatives from where the good is sourced.

There is no publication of the overall amount, neither is the amount allocated to goods from each country. Importers are notified individually of allocations.

II. Depending on the item, quotas may be determined quarterly, six-monthly or annually. Importers can apply at any time until quotas are exhausted.

III. The system is an open one and no preference is given to the domestic producers of like goods. It is not binding on the importer to bring in any good for which a licence has been issued.

IV. When importers are granted quotas, applications may be submitted at any time within the period allowed for importation.

V. Applications are processed within three working days provided that all necessary information is submitted.

VI. A licence is issued with the understanding that importation will begin immediately.

VII. Depending on the item to be imported, e.g. meat or meat products, the importer may have to approach more than one Government agency.

VIII. The allocation of licences within the quota system varies. In the case of the importation of certain species of fish, for example flying fish and associated pelagics, only the "Miscellaneous Importers" are allocated licences on a first-come-first-served basis and past performance may be taken into account. Fish processors are allocated licences according to their participation in the local fishing industry. Apart from quotas for fish, quotas are usually allocated on past performance. With respect to new importers, consideration may be given depending on the overall size of the quota. All applications are examined on receipt.

IX. There is no bilateral quota arrangement.

X. Not applicable.

XI. Yes.

7. (a) Importers are advised that import licences should be obtained before the goods are imported. Licences can be granted within a shorter time-limit and applications for goods which arrive owing to inadvertency may be facilitated depending on the particular circumstances.

(b) A licence can be granted immediately on request.

(c) Applicants are free to request import licences any time of the year. However, in the case of certain species of fish, licences are only issued to allow for the importation of fish during that time of the year known as the "window period", August to November.

(d) See 6.VII.

8. Any applicant who has qualified for an import licence will automatically be granted the licence. Should an applicant be denied the licence the reason(s) is/are given to him. An applicant has the right

to appeal in the event he is denied a licence. Those who have been denied a licence may appeal to the same body. They may make their complaint direct to the Chief Price Control Officer, Permanent Secretary or the Minister.

Eligibility of Importers to Apply for Licence

9. All firms, persons and institutions are eligible to apply for licences under the restrictive and non-restrictive system.

Documentational and Other Requirements for Application for Licence

10. Applicants are required to state their personal or business name; address; the country from which the good is sourced and the country from which it is being consigned; the expected date and time of arrival; the relevant tariff heading; the description of goods and quantity and the quoted c.i.f. value in Barbados dollars. No other document is required.

11. For goods from Caricom countries, a certificate of origin is required as well as the commercial invoice. Goods from non-Caricom sources require only the commercial invoice.

12. There is no licensing fee or administrative charge.

13. There is no deposit or advance payment requirement.

Conditions of Licensing

14. A licence is valid for up to three months. The validity of a licence can be extended by renewal.

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

16. Licences are not transferable.

17. Specific conditions attached to the issuance of an import licence for products subject to quantitative restrictions, and those that are not subject to quantitative restrictions, may apply from time to time.

Other Procedural Requirements

18. There are no other administrative procedures apart from import licensing and similar administrative practices that are required prior to importation.

19. There are no hindrances to obtaining foreign exchange provided by the banking authorities for goods to be imported. Licences are not required to obtain foreign exchange and foreign currency is readily available to cover licences issued and for goods that are not subject to the import licensing system.

APPENDIX I

Statutory Instruments Supplement No. 6
Supplement to Official Gazette No. 12 dated 10th February, 1994

S.I. 1994 No. 13

Miscellaneous Controls Act
Cap. 329

MISCELLANEOUS CONTROLS (GENERAL OPEN
IMPORT LICENCE) REGULATIONS,
1994

The Minister in exercise of the powers conferred on him by section 3(1) of the *Miscellaneous Controls Act*, makes the following regulations:

1. These regulations may be cited as the *Miscellaneous Controls (General Open Import Licence) Regulations, 1994*.

2. (1) No person shall, except in accordance with the terms of a licence granted under section 10 of the Act, import any goods set out in the First Schedule from any country other than a country listed in the Second Schedule being a country specified in section 6(1) of the *Caribbean Community Act*.

First
Schedule
Second
Schedule
Cap. 15

(2) Notwithstanding paragraph (1), no person shall, except in accordance with the terms of a licence granted under section 10 of the Act, import any goods set out in the Third Schedule from any country specified in the Second Schedule.

Third
Schedule
Second
Schedule

(3) Any person who contravenes or fails to comply with any of the provisions of these regulations is guilty of an offence and is liable on summary conviction to a fine of \$100 000 or to imprisonment for a term of 2 years or to both such fine and imprisonment.

S.I. 1983
No. 111
S.I. 1985
No. 2

(4) The *Miscellaneous Controls (General Open Import Licence) Regulations, 1983*, and the *Miscellaneous Controls (Sale of Licenced Goods) Regulations, 1985*, are revoked.

FIRST SCHEDULE*(Regulation 2(1))*

Tariff Heading Number	DESCRIPTION OF GOODS
01.05	Live Poultry
02.03	Meat of swine, fresh, chilled or frozen
Ex. 02.07	Meat of poultry of Heading No. 01.05 fresh, chilled or frozen
0210.101	Ham
0210.102	Bacon
03.02	Fish, fresh or chilled, excluding fish fillets and other fish meat of Heading No. 03.04
03.03	Fish, frozen, excluding fish fillets and other fish meat of Heading No. 03.04
03.04	Fish fillets and other fish meat, fresh, chilled or frozen
04.01	Milk and cream, not concentrated nor containing added sugar or other sweetening matter
04.02	Milk and cream concentrated or containing added sugar or other sweetening matter
Ex. 04.07	Birds' eggs in shell, fresh, excluding hatching eggs.
0702.00	Tomatoes, fresh or chilled
0703.101	Onions, fresh or chilled
0703.102	Shallots (eschallots) fresh or chilled
07.04	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled
07.05	Lettuce and chicory, fresh or chilled
07.06	Carrots and turnips, beetroots, salsify, celeriac, radishes and similar edible roots fresh or chilled.
07.07	Cucumbers and gherkins fresh or chilled
07.08	Leguminous vegetables, shelled or unshelled fresh or chilled
07.09	Other vegetables, fresh or chilled.
07.10	Vegetables, uncooked or cooked, frozen

Tariff heading No.	Description of goods
Ex. 08.07	Melons
1501.001	Lard
15.07	Soya bean oil and its fractions, whether or not refined, but not chemically modified
15.08	Groundnut oil and its fractions, whether or not refined, but not chemically modified
15.09	Olive oil and its fractions, whether or not refined, but not chemically modified
15.10	Other oils and their fractions, obtained solely from olives, whether or not refined but not chemically modified, including blends of these oils or fractions with oils or fractions of heading No. 1509
15.11	Palm oil and its fractions, whether or not refined, but not chemically modified
15.12	Sunflower seed, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified
15.13	Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified
15.14	Rape, colza or mustard oils and fractions thereof, whether or not refined, but not chemically modified
15.15	Other fixed vegetable fats and oils and their fractions, whether or not purified, but not chemically modified
16.01	Sausages and similar products of meat, meat offal or blood, food preparations based on these products
16.02	Other prepared or preserved meats, meat offal or blood (excluding corned beef)
Ex. 17.01	Beet sugar and cane sugar in solid form
20.07	Jams, jellies, marmalades, fruit puree and fruit pastes
20.09	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit whether or not containing added sugar or other sweetening matter
22.02	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured and other non-alcoholic beverages
22.03	Beer made from malt
Ex. 22.06	Shandy
Ex. 22.08	Shandy

Tariff heading No.	Description of goods
34.01	Soap, organic surface active products and preparations for use as soap in bars, cakes, moulded pieces or shapes whether or not containing soap; paper, wadding; felt and non-woven, impregnated, coated or covered with soap or detergent
34.02	Organic surface active agents; surface active preparations, washing preparations and cleaning preparations whether or not containing soap
Ex. 36.04	Fireworks
Ex. 38.23	"Chemshield" (the defence method of our times)
Ex. 38.23	"Mace" and similar products
Ex. 39.26	Handcuffs of plastic
Ex. 61.09	T-shirts
Ex. 73.26	Handcuffs of iron or steel
Ex. 82.11	Ratchet knives, spring loaded knives including flick knives
	87.02 Public transport type passenger motor vehicles
	87.03 Motor cars and other vehicles principally designed for the transport of persons (other than those of heading No. 87.02), including station wagons, and racing cars
Ex. 87.06	Chassis fitted with engines for the assembly of coaches and buses
Ex. 87.08	Chassis without engines for the assembly of coaches and buses
Ex. 89.03	Yachts and other vessels for pleasure or sports
Ex. 95.04	Coin operated amusement machines
Ex. 95.04	Equipment and accessories for gambling or parlour games (excluding gaming machines) for example blackjack tables, table counters, hand counters, roulette wheels, dice, dice boxes, croupier's rakes etc.

SECOND SCHEDULE

(Regulation 2)

Antigua and Barbuda	Montserrat
Belize	St. Kitts-Nevis-Anguilla
Dominica	St. Lucia
Grenada	St. Vincent
Guyana	Trinidad and Tobago
Jamaica	

THIRD SCHEDULE

(Regulation 2(2))

Tariff heading No.	Description of goods
01.05	Live poultry
02.03	Meat of swine, fresh, chilled or frozen
Ex. 02.07	Meat of poultry of heading No. 01.05 fresh, chilled or frozen
0210.101	Ham
0210.102	Bacon
03.02	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No. 03.04
03.03	Fish, frozen, excluding fish fillets and other fish meat of heading No. 03.04
03.04	Fish fillets and other fish meat, fresh, chilled or frozen
04.01	Milk and cream, not concentrated nor containing added sugar or other sweetening matter
04.02	Milk and cream concentrated or containing added sugar or other sweetening matter
Ex. 04.07	Birds' eggs in shell, fresh, excluding hatching eggs
0702.00	Tomatoes, fresh or chilled
0703.101	Onions, fresh or chilled
0703.102	Shallots (échalotes) fresh or chilled

Tariff heading No.	Description of goods
07.04	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled
07.05	Lettuce and chicory, fresh or chilled
07.06	Carrots and turnips, beetroots, salsify, celeriac, radishes and similar edible roots, fresh or chilled
07.07	Cucumbers and gherkins fresh or chilled
07.08	Leguminous vegetables, shelled or unshelled, fresh or chilled
07.09	Other vegetables, fresh or chilled
07.10	Vegetables, uncooked or cooked, frozen
0714.20	Sweet potatoes
Ex. 08.07	Melons
15.07	Soya bean oil and its fractions, whether or not refined, but not chemically modified
15.08	Groundnut oil and its fractions, whether or not refined, but not chemically modified
15.09	Olive oil and its fractions, whether or not refined, but not chemically modified
15.10	Other oils and their fractions, obtained solely from olives whether or not refined but not chemically modified, including blends of these oils or fractions with oils or fractions of heading No. 1509
15.11	Palm oil and its fractions, whether or not refined, but not chemically modified
15.12	Sunflower seed, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified
15.13	Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified
15.14	Rape, colza or mustard oils and fractions thereof, whether or not refined, but not chemically modified
15.15	Other fixed vegetables, fats and oils and their fractions, whether or not purified, but not chemically modified
1602.401	Ham
1602.402	Bacon
Ex. 17.01	Beet sugar and cane sugar in solid form
20.07	Jams, jellies, marmalades, fruit puree and fruit pastes
2009.101	Orange juice, concentrated
2009.109	Other orange juice

Tariff heading No.	Description of goods
2009.201	Grapefruit juice, concentrated
2009.209	Other grapefruit juice
22.02	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matters or flavoured and other non-alcoholic beverages
Ex. 22.06	Shandy
Ex. 22.08	Shandy
34.01	Soap, organic surface active products and preparations for use as soap in bars, cakes, moulded pieces or shapes whether or not containing soap; paper, wadding; felt and non-woven, impregnated, coated or covered with soap or detergent
34.02	Organic surface active agents; surface active preparations, washing preparations and cleaning preparations whether or not containing soap
Ex. 36.04	Fireworks
Ex. 38.23	"Chemshield" (the defence method of our times)
Ex. 38.23	"Mace" and similar products
Ex. 39.26	Handcuffs of plastic
Ex. 73.26	Handcuffs of iron or steel
Ex. 82.11	Ratchet knives, spring loaded knives including flick knives
87.02	Public transport type passenger motor vehicles
87.03	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading No. 87.02), including station wagons, and racing cars
Ex. 87.06	Chassis fitted with engines for the assembly of coaches and buses
Ex. 87.08	Chassis without engines for the assembly of coaches and buses
Ex. 89.03	Yachts and other vessels for pleasure or sports
Ex. 95.04	Coin operated amusement machines
Ex. 95.04	Equipment and accessories for gambling or parlour games (excluding gaming machines), for example blackjack tables, table counters, hand counters, roulette wheels, dice, dice boxes, croupier's rakes etc.

Made by the Minister this 6th day of January, 1994,

D.W. BOWEN

Minister responsible for Agriculture, Food and Fisheries

Statutory Instruments Supplement No.35
Supplement to Official Gazette No. 64 dated 7th August, 1995

S.I. 1995 No. 66

Miscellaneous Controls Act
Cap. 329

MISCELLANEOUS CONTROLS (GENERAL OPEN
IMPORT LICENCE) (AMENDMENT)
REGULATION, 1995

The Minister in exercise of the powers conferred on him by Section 3(1) of the *Miscellaneous Controls Act*, makes the following Regulations:

1. These regulations may be cited as the *Miscellaneous Controls (General Open Import Licence) (Amendment) Regulations, 1995*.
2. The Third Schedule to the *Miscellaneous Controls (General Open Import Licence) Regulations, 1994* is deleted and the Third Schedule contained in the Schedule to these regulations is substituted.

S.I. 1994 No. 13 Schedule

STATUTORY INSTRUMENT

Schedule

(Paragraph 2)

"THIRD SCHEDULE"

(Regulation 2(2))

Tariff heading No.	Description of goods
01.05	Live poultry
02.03	Meat of swine, fresh, chilled or frozen
Ex. 02.07	Meat of poultry of heading No. 01.05 fresh, chilled or frozen
0210.101	Ham
0210.102	Bacon
03.02	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No. 03.04

Tariff heading No.	Description of goods
03.03	Fish, frozen, excluding fish fillets and other fish meat of heading No. 03.04
03.04	Fish fillets and other fish meat, fresh, chilled or frozen
04.01	Milk and cream, not concentrated nor containing added sugar or other sweetening matter
04.02	Milk and cream concentrated or containing added sugar or other sweetening matter
Ex. 04.07	Birds' eggs in shell, fresh, excluding hatching eggs
0702.00	Tomatoes, fresh or chilled
0703.101	Onions, fresh or chilled
0703.102	Shallots (échalotes) fresh or chilled
07.04	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled
07.05	Lettuce and chicory, fresh or chilled
07.06	Carrots and turnips, beetroots, salsify, celeriac, radishes and similar edible roots fresh or chilled
07.07	Cucumbers and gherkins fresh or chilled
07.08	Leguminous vegetables, shelled or unshelled fresh or chilled
07.09	Other vegetables, fresh or chilled
07.10	Vegetables, uncooked or cooked, frozen
0714.20	Sweet potatoes
Ex. 08.07	Melons
15.07	Soya bean oil and its fractions, whether or not refined, but not chemically modified
15.08	Groundnut oil and its fractions, whether or not refined, but not chemically modified
15.09	Olive oil and its fractions, whether or not refined, but not chemically modified
15.10	Other oils and their fractions, obtained solely from olives, whether or not refined but not chemically modified, including blends of these oils or fractions with oils or fractions of heading No. 1509
15.11	Palm oil and its fractions, whether or not refined, but not chemically modified
15.12	Sunflower seed, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified

Tariff heading No.	Description of goods
15.13	Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified
15.14	Rape, colza or mustard oils and fractions thereof, whether or not refined, but not chemically modified
15.15	Other fixed vegetable fats and oils and their fractions, whether or not purified, but not chemically modified
1602.401	Ham
1602.402	Bacon
Ex. 17.01	Beet sugar and cane sugar in solid form
22.02	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured and other non-alcoholic beverages
34.01	Soap, organic surface active products and preparations for use as soap in bars, cakes, moulded pieces or shapes whether or not containing soap; paper, wadding; felt and non-wovens, impregnated, coated or covered with soap or detergent
Ex. 36.04	Fireworks
Ex. 38.23	"Chemshield" (the defence method of our times)
Ex. 38.23	"Mace" and similar products
Ex. 39.26	Handcuffs of plastic
Ex. 73.26	Handcuffs of iron or steel
Ex. 82.11	Ratchet knives, spring loaded knives including flick knives
Ex. 95.04	Coin operated amusement machines
Ex. 95.04	Equipment and accessories for gambling or parlour games (excluding gaming machines) for example blackjack tables, table counters, hand counters, roulette wheels, dice, dice boxes, croupier's rakes etc.

Made by the Minister this 31st day of July, 1995.

REGINALD FARLEY

Minister responsible for Industry, Commerce
and Business Development