

**REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES<sup>1</sup>**

Notification under Article 7.3 of the  
Agreement on Import Licensing Procedures

**BARBADOS**

The following notification, dated 13 December 2005, is being circulated at the request of the Delegation of Barbados.

Outline of system

1. The Government of Barbados maintains an import licensing system to regulate the importation of goods, which are subject to the licensing regime. The system is administered by the Ministry of Commerce, Consumer Affairs and Business Development under the Miscellaneous Controls Act Chapter 329 of the Laws of Barbados.

Purposes and coverage of licensing

2. Products which are subject to import licensing under the Miscellaneous Controls (General Open Import Licence) Regulations are listed in Annex I and Annex II. These products are permitted to be imported under licence, which are considered on a case-by-case basis.

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. The import licensing system is applied for:

- Regulating and monitoring purposes;
- Security purposes;
- Protection of public morals;
- Health purposes; and
- Environmental purposes

Its objective is in no way to restrict the quantity or value of imports.

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

### Legislative Basis

5. The import licensing scheme is a statutory requirement maintained under the Miscellaneous Controls Act Chapter 329 of the Laws of Barbados.

The legislation does not leave designation of products to be subjected to automatic licensing to administrative discretion. However, in the instance of licensing to be issued for products which give rise to issues such as public morals, public safety and public health these licences are not issued automatically and are therefore subjected to administrative discretion. The respective statutory instruments are made available to the public by publication in the Official Gazette. Any changes such as subjecting new products to import licensing or removal of existing products therefrom require legislative approval.

### Procedures

6. No quantitative restrictions.
7.
  - (a) Import authorization for applications must be made in advance of importation. Licences are processed within three to five working days, but can be granted within a shorter time limit. Applications for goods, which arrive owing to inadvertency, may be facilitated depending on the particular circumstance.
  - (b) A licence can be granted immediately on request depending on the circumstance and/or the type of good.
  - (c) There are no time limits for the submission of import licence applications.
  - (d) In some cases, the consideration of import licence applications is effected by a number of administrative bodies, which are competent to give advice on the issuance of a licence according to the type of imported good(s). Applications for meat and meat products must be reviewed by the Veterinary Services of the Ministry of Agriculture and Rural Development before issuance by the Ministry of Commerce, Consumer Affairs and Business Development. In addition, applications for motorized vessels for pleasure or sports are considered by a Committee which makes recommendations to the Minister responsible for Commerce. The representatives of the Committee comprise the Barbados Port Authority, the Customs and Excise Department, the Ministry of Tourism and International Transport, the Barbados Coast Guard and the Department of Commerce and Consumer Affairs.
8. All licences are issued automatically, except goods falling under the following categories:
  - Health and safety
  - Public moral
  - Security

An application for an import licence is normally granted if it meets the ordinary criteria. In the event of refusal to issue a licence the applicant will be informed of the reasons for any refusal. Applicants have the right to appeal to any of the following persons:

- Director
- Permanent Secretary
- Minister

An applicant may approach the Barbados Chamber of Commerce and/or the Barbados Manufacturers' Association to mediate on their behalf or seek redress in Civil Court.

Eligibility of importers to apply for licence

9. All importers may apply for an import licence under the Miscellaneous Controls Act Cap 329.

Documentation and other requirements for application for licence

10. Applicants are required to state their personal or business name; address; the country from which the goods are 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; the quantity and the quoted c.i.f. value in Barbados dollars. No other document is required.

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

12. There is no licensing fee or administrative charge.

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

Conditions of licensing

14. A licence is valid for a period up to three months and can be extended by renewal upon expiry of that period by issuance of a new licence under the same procedure.

15. There are no penalties for the non-utilisation of an import licence or a portion thereof.

16. Import licences are not transferable between importers.

17.(a) There are no other conditions attached to the issuance of an import licence.

(b) The other conditions that may be attached to the issuance of an import licence are as follows:

- an import licence may be issued for manufacturing purposes only.
- an import licence may be issued for goods to be re-exported.

Other procedural requirements

18. Imports are not subject to any other administrative procedures.

19. There are no hindrances to obtaining foreign exchange from the banking authorities for goods to be imported. Licences are not required as a condition to obtaining foreign exchange. Foreign exchange is readily available to cover licences issued and can be obtained from commercial banks once the importer is in possession of original invoices for the importation of goods. Those without invoices are required to complete a Foreign Currency Import Form (FCI) from the Central Bank, after which authorization is given to obtain the currency.

## ANNEX I

*Statutory Instruments Supplement No. 6*

*Supplement to Official Gazette No. 15 dated 16<sup>th</sup> February 2004*

S.I. 2004 No. 18

### Miscellaneous Controls Act Cap. 329

#### MISCELLANEOUS CONTROLS (GENERAL OPEN IMPORT LICENCE) (NO. 2) REGULATIONS, 2004

The Minister in exercise of the powers conferred on her 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)(No.2) Regulations, 2004*
  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:

Second Schedule  
Act 2003-8  
First Schedule

    - (a) a country listed in the *Second Schedule* being a country specified in section 5 of the *Caribbean Community Act*; or
    - (b) a country that is declared to be a member of the CARICOM Single market and Economy under section 5(2) of the *Caribbean Community Act*.
  - (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 referred in paragraph 1. 

Third 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.
3. *The Miscellaneous Controls (General Open Import Licence) Regulations, 2004* are revoked. 

S.I. 2004  
No. 1

FIRST SCHEDULE

*(Regulation 2(1))*

Tariff heading No.	Description of goods
01.05	Live poultry
02.01	Meat of bovine animals, fresh or chilled
02.02	Meat of bovine animals, frozen
02.03	Meat of swine, fresh, chilled or frozen
02.04	Meat of sheep or goats, 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
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

Tariff heading No.	Description of goods
1501.01	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. 15.09
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
19.02	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagna, gnocchi, ravioli, cannelloni; couscous, whether or not prepared
1905.301	Sweet biscuits
1905.309	Other waffles and wafers
1905.901	Biscuits unsweetened
20.07	Jams, jellies, marmalades, fruit puree and fruit pastes
2008.199	Other nuts including mixtures prepared and preserved
Ex 20.09	Orange juice, grapefruit juice, pineapple juice, apple juice
2103.201	Tomato ketchup
2105.001	Ice cream

Tariff heading No.	Description of goods
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
Ex 34.02	Powdered laundry 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
4418.20	Doors and their frames and thresholds
4819.309	Other sacks/bags of paper with base at least 40 cm wide
4821.10	Paper or paper board labels printed
Ex 61.09	T-shirts
7213.109	Bars and rods of non-alloy steel with deformations from rolling process
Ex 73.26	Handcuffs of iron or steel
Ex 82.11	Ratchet knives, spring-loaded knives including flick knives
8507.20	Other lead-acid accumulators
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 89.03	Yachts and other vessels for pleasure or sports
9403.201	Other metal furniture used in schools, churches and laboratories
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(1))*

Antigua & Barbuda  
Belize  
Dominica  
Grenada  
Guyana  
Jamaica

Montserrat  
St Kitts and Nevis  
St. Lucia  
St Vincent and the Grenadines  
Suriname  
Trinidad and Tobago



THIRD SCHEDULE

(Regulation 2(2))

Tariff heading No.	Description of goods
0303.75	Dog fish and other sharks
0303.793	Flying fish
0303.799	Other fish, frozen
03.04	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen
04.01	Milk and cream, not concentrated or not containing added sugar or sweetening matter
04.02	Milk and cream, concentrated or containing added sugar or other sweetening matter
0702.00	Tomatoes, fresh or chilled
0704.901	Cabbages, fresh or chilled
0707.001	Cucumbers, fresh or chilled
0709.903	Pumpkins, fresh or chilled
Ex 08.07	Melons (including watermelons) and pawpaws (papayas), fresh
15.07	Soya bean oil and its fractions, whether or not refined, but not chemically modified
15.08	Ground nut 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. 15.09
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
19.02	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagna, gnocchi, ravioli, cannelloni, couscous, whether or not prepared
1905.301	Sweet biscuits
1905.309	Other waffles and wafers
1905.901	Biscuits, unsweetened

Tariff heading No.	Description of goods
2008.199	Other nuts including mixtures prepared or preserved
2009.11	Orange juice, frozen
2103.201	Tomato ketchup
2105.001	Ice cream
2202.101	Aerated beverages
2202.109	Other flavoured water
2202.909	Other beverages
2203.001	Beer
2203.002	Stout
3402.201	Dishwashing liquids
3402.204	Liquid bleaches
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
4418.20	Doors and their frames and thresholds
4819.309	Other sacks/bags of paper with a base at least 40cm wide
4821.10	Paper or paperboard labels, printed
Ex 61.09	T-shirts
7213.109	Bars and rods of non-alloy steel with deformations from rolling process
Ex 73.26	Handcuffs of iron or steel
Ex 82.11	Ratchet knives, spring loaded knives including flick knives
8507.20	Other lead-acid accumulators
9403.201	Other metal furniture used in schools, churches and laboratories
Ex 95.04	Coin-operated amusement machines
Ex 95.05	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 13<sup>th</sup> day of February 2004

Lynette Eastmond  
Minister responsible for Commerce, Consumer Affairs  
and Business Development

## ANNEX II

Statutory Instruments Supplement No. 65  
Supplement to Official Gazette No. 104 dated 16<sup>th</sup> December 2004

S.I. 2004 No. 153

Miscellaneous Controls Act  
Cap. 329

MISCELLANEOUS CONTROLS (GENERAL OPEN  
IMPORT LICENCE) (GENERAL)(AMENDMENT) (No.3)  
REGULATIONS 2004

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

1. These regulations may be cited as the Miscellaneous Controls (General Open Import Licence)(General)(Amendment)(No.3) Regulations, 2004

2. The First Schedule to the *Miscellaneous Controls (General Open Import Licence) Regulations, 2004* is amended by inserting the following tariff heading number and the description of goods set out opposite thereto in the appropriate numerical order:

First Schedule  
S.I. 2004  
No. 18

"Tariff Heading Number	Description of Goods
Ex. 89.01	Hovercraft"

3. The *Third Schedule* to the *Miscellaneous Controls (General Open Import Licence) Regulations, 2004* is amended by inserting the following tariff heading numbers and the description of goods set out opposite thereto in the appropriate numerical order:

Third Schedule

"Tariff Heading Number	Description of Goods
Ex. 89.01	Hovercraft"
Ex. 8903.99	Jet skis, wave runners and similar vessels"

Made by the Minister this 9<sup>th</sup> day of December 2004

Lynette P. Eastmond  
Minister responsible for Commerce, Consumer Affairs  
and Business Development

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