

**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 16 October 2009, has been received from the Permanent Mission of Barbados.

**Outline of system**

1. The Government of Barbados employs an import licensing system to regulate the importation of goods, which are subject to the licensing regime. The arrangement is managed by the Ministry of Economic Affairs, Empowerment, Innovation, Trade, Industry and Commerce, under the Miscellaneous Controls Act Chapter 329 of the Laws of Barbados.

**Purpose and coverage of licensing**

2. Products which are subject to import license under the Miscellaneous Controls (General Open Import Licence) Regulations are listed in Annex I.<sup>2</sup>

These products are allowed to be imported under licence, which is 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:

- (i) Monitoring purposes;
- (ii) Security purposes;
- (iii) Protection of Public Morals;
- (iv) Health purposes; and
- (v) Environmental purposes.

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

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<sup>1</sup> See document G/LIC/3.

<sup>2</sup> Available for consultation in the Secretariat (Market Access Division in English only).

### Legislative Basis

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

Generally, the legislation does not leave designation of products subject to automatic licensing to administrative discretion. However, in the instance of licences 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 there from require legislative approval.

### Procedures

6. There are presently no Quantitative Restrictions.
7. (a) Import authorization for applications must be granted 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 periodic limits with regard to the time of year during which an import licence application could be submitted for authorization or a good could be imported.
- (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 Economic Affairs, Empowerment, Innovation, Trade, Industry and Commerce. In addition; applications for motorized vessels for pleasure or sports are considered by a Committee, which makes recommendations to the Minister responsible for Trade. The representatives of the Committee comprise The Maritime Affairs Division (Ministry of Transport International Transport and International Business), the Customs and Excise Department, the Ministry of Tourism 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 Morals
  - 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 the refusal. Applicants have the right to appeal to any of the following persons:

- Director, Department of Commerce and Consumer Affairs
- Permanent Secretary, and
- Minister

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

**Eligibility of importers to apply for a license**

9. All persons, firms and institutions may apply for an import licence under the Miscellaneous Controls Act Cap 329.

**Documentation and other requirements for application for license**

10. Applicants are required to state their personal or business name, address, the country from which the goods are sourced and the country from whence they are being consigned, the expected date and time of arrival, the relevant tariff heading, the description of the good(s), the quantity to be imported 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 advanced payment 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-utilization of an import licence or a portion thereof.

16. Import licences are not transferable between importers.

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

**Other procedural requirement**

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 Invoice(s)** 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.

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