

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

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

CYPRUS

Revision

The following revised notification, dated 29 April 1996, has been received from the Permanent Mission of Cyprus.

OUTLINE OF SYSTEM

1. Cyprus maintains a system of import licensing administered by the Department of Trade of the Ministry of Commerce, Industry and Tourism with respect to various products as listed in Annex A and Annex B.

PURPOSES AND COVERAGE OF LICENSING

2. The product listed in Annex A is an agricultural product for which import licences are granted provided certain conditions are met in order to protect local production. For ground-nuts (tariff heading 12.02) an import licence is granted provided certain conditions are met, in accordance with the notification submitted by Cyprus to the WTO under Article 5.1 of the Agreement on Trade-Related Investment Measures. For products listed in Annex B, import licences are granted without any restrictions as the issue involved is not the actual quantity entering the market but other considerations, such as sanitary, national security or other factors, pursuant to GATT Articles XX and XXI.

3. The system applies in a uniform way to all countries. However, and in accordance with the United Nations Resolutions, a prohibition applies for imports from certain countries.

4. As stated in reply 2 above, licensing is mainly intended so as to take into account considerations for the protection of health, safety and some environmental factors, whereas for an agricultural product it is also used for reasons of protection of local production.

5. The licensing system administered by the Department of Trade of the Ministry of Commerce, Industry and Tourism is based on the Imports Regulation Law 49 of 1962 and its Amendments 7 of 1967, 39(1) and 82(1) of 1994. Products subject to licensing are designated through Orders by the Minister of Commerce, Industry and Tourism issued under the above-mentioned legislation. The Orders are published in the Official Gazette of the Republic. Products can be subtracted from or added to the list only by means of an official Decision.

PROCEDURES

6. For products under restriction

I-XI. Not applicable.

7. For products with no quantitative limits on importation

- (a) Where there is no quantitative limit on importation of a product, there is no fixed time-limit for an application to be submitted. However, and in accordance with the Regulations in existence, an importer must obtain a licence before he concludes an order for goods to be delivered.
 - (b) A licence is normally granted on request. In some cases a time period of up to five working days is needed.
 - (c) There are no fixed time-limits during which applications and/or importation may be made.
 - (d) Licence applications are, in principle, only dealt with by one authority. In some cases mainly where agricultural products are involved certain certificates are additionally required by other authorities.
8. The reason for a possible refusal to issue a licence is stated on the application itself which is then returned to the applicant. An applicant in the event of his being refused a licence has the right to appeal to the Court of Justice.

ELIGIBILITY OF IMPORTERS TO APPLY FOR LICENCE

9. Any permanent resident of the Republic of Cyprus or Organization to which the right of conducting business in the Republic has been granted by the Authorities is eligible to import and to be granted an import licence.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION FOR LICENCE

10. The information required in applications includes the name, address, telephone and telex number of the applicant as well as the registration number of the company concerned, if it is a company involved, or the social security number of the applicant. Additionally, details of the goods to be imported are required which include a description of the goods, their tariff classification as well as the quantity and value of goods. The applicant also has to fill in details relating to the country of origin/shipment of the goods to be imported. The importer is required to submit the application in triplicate, together with a proforma invoice also in triplicate.

11. Upon actual importation the importer has to present to the Customs Authorities the following documents: the import licence, the actual invoice, the bill of lading, the delivery order, the Euro I Certificate if the origin of the goods is from the European Community countries and any other documents from other Governmental bodies if deemed necessary.

12. There is a licensing fee of three Cyprus Pounds for every clearance of goods upon importation where the goods are subject to an import licence.

13. There is no deposit or advance payment requirement for issuing licences.

CONDITIONS OF LICENSING

14. An import licence is valid for a period of one year from the date of issue. A licence cannot be renewed, but it can be replaced with a new one.
15. There is no penalty for the non-utilization of a licence or a portion of it.
16. Licences are not transferable between importers.
- 17.(a) Not applicable.
- (b) The licences covering all products usually carry the same conditions. In the case of agricultural products, there is a condition for a phytosanitary certificate so as to conform with the rules and regulations of the Ministry of Agriculture. There is also a need for veterinary conditions in the case of meat being imported as well as other conditions if other Government bodies are involved, for example, a permit from the Ministry of Labour in the case of fire extinguishers.

OTHER PROCEDURAL REQUIREMENTS

18. There are no other administrative procedures required prior to importation as far as the Ministry of Commerce, Industry and Tourism is concerned.
19. Foreign exchange is automatically provided by the banking authorities for goods to be imported. However, for imports requiring a licence, the import licence must be presented to the bank if any facilities (e.g. letter of credit) are to be granted. Any other requirements are subject to the Exchange Control Law of the Central Bank of Cyprus.

ANNEX A

AGRICULTURAL PRODUCTS SUBJECT TO AN IMPORT LICENCE

Tariff Heading

Product Description

12.02 Ground-nuts (peanuts) whether or not shelled

ANNEX B

INDUSTRIAL PRODUCTS SUBJECT TO AN IMPORT LICENCE

<u>Tariff Heading</u>	<u>Product Description</u>
27.01	Coal, briquettes, ovoids and similar solid fuels manufactured from coal
27.02	Lignite, whether or not agglomerated
27.09	Petroleum oils and oils obtained from bituminous minerals (crude oil)
27.10	Petroleum partly refined, including topped crudes; motor spirit kerosene, jet fuel, white spirit, diesel oil and residual fuel oils
27.11	Petroleum gases and other gaseous hydrocarbons
28.04	Oxygen and hydrogen
28.10-28.40	Boric acid, oxides of boron and borates and peroxoborates salts
29.01-29.42	Organic chemicals, except naphthalene (Heading 29.02), saccharin (Heading 29.25), vitamins and hormones (Headings 29.36 and 29.37), glycosides, natural or reproduced by synthesis (Heading 29.38), vegetable alkaloids (Heading 29.39) and antibiotics (Heading 29.41)
34.02	Surface-active preparations and washing preparations
40.11-40.12	Solid or cushion rubber tyres for motor vehicles as follows:
(a)	without indication of the mark or the name of manufacturers, or bearing altered or not clear inscriptions;
(b)	used tyres including retreaded and regrooved;
(c)	new tyres which are described or with the indication Substandard, Regraded, D/A, Second or Third Quality, Maximum Speed or similar description or indications which denote that they are faulty
56.08	Fishing nets
72.13-72.15	Iron bars for building
73.11	Containers for compressed or liquefied gas
84.02	Steam boilers
84.14	Air or other gas compressors with air chamber and air chambers
84.23	Weighing machinery, scales and weights of all kinds and parts thereof
84.24	Fire extinguishers
84.70	Postage franking machines
85.04	Liquid transformers
85.35	Lightning arresters