

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹

Notification under Article 7.3 of the Agreement
on Import Licensing Procedures

EUROPEAN COMMUNITIES

Addendum

Import Licensing Procedures for WTO Tariff Quotas
for Manioc

Outline of system

1. The object of the import licensing system is to ensure a sound administration of the EC's WTO tariff rate quota for 5,500,000 tonnes of manioc of tariff heading 0714 10. The relevant legislation related to the import licensing system for this tariff quota is mentioned in reply 5. As regards the requirements for applicants for import licences see reply 6.

Purpose and coverage of licensing

2. See reply 1.
3. The system applies in the European Community to manioc originating in Thailand.
4. See reply 1. As referred to in reply 1, the licensing system covers the relevant WTO tariff quota. The EC considers the method adopted to be the most appropriate to administer this tariff rate quota.
5. The relevant legislation for the administration of import licences for this tariff rate quota is:

Commission Regulation (EC) No 2771/98 of 21 December 1998 (OJ L 346).

The licensing is statutorily required. The legislation does not leave designation of products to be subjected to licensing to administrative discretion. The system cannot be abolished without legislative approval.

Procedures

6. Answer to questions 6.I to VIII and to 6.XI and 6.X. Question 6.IX is not relevant.

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

The information related to the allocation of the quotas and the formalities for licence application is published in the Official Journal of the European Communities (see reply 5). There is no derogation from the licensing requirement.

The tariff quota is an annual tariff quota.

The imports under the tariff quota are subject to the presentation of an import licence which is issued subject to the submission of an export certificate to the European Community issued by the Department of Foreign Trade, Ministry of Commerce, Government of Thailand. Application for import licences have to be submitted to the competent authorities in the Member States accompanied by the export certificate. The import licence has to be issued on the fifth working day following the day on which the application was lodged, after the Commission has informed the competent authorities of the Member States that the conditions laid down in the relevant legislation have been fulfilled.

7. Question 7 is not relevant in the present case.

8. The application for an import licence can only be refused if the relevant criteria are not fulfilled. Applicants can appeal to courts in the Member States according to the legislation in force in the respective Member States.

Eligibility of importers to apply for licence

9. There is no specific requirement to be eligible to apply for licences. There is no specific system of registration necessary for the application of an import licence.

Documentational and other requirements for application for licence

10. A specimen of the import licence is set out at Annex XI to the Community's general Article 7.3 notification for 1999 (G/LIC/N/3/EEC/2). Regarding the information required, see the import licence and Commission Regulation (EC) No 2771/98 of 21 December 1998 (published in OJ L 346, page 29).

11. The import licence and the export certificate.

12. No.

13. The issuance of the import licence is subject to a security in order to guarantee that the imported quantities do not exceed the quantities covered by the import licence.

Conditions of licensing

14. The period of validity of the import licence corresponds to the period of validity of the export certificate plus 30 days (i.e. 150 from the date of issue).

15. The non-utilisation of an import licence implies that the security is not released. In the case of partial use of the import licence, the security is partially released.

16. No.

17. No.

Other procedural requirements

18. No.

19. Not relevant.
