

# WORLD TRADE ORGANIZATION

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(00-5438)

Committee on Import Licensing

Original: English

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

Notification under Article 7.3 of the Agreement on Import Licensing Procedures

EUROPEAN COMMUNITIES

### Addendum

#### Import Licensing Procedures for WTO Tariff Quotas for Manioc, Arrowroot, Salep and Similar Roots and Tubers

#### Outline of systems

1. The object of the import licensing system is to ensure a sound administration of the EC's WTO tariff rate quota for 1,352,590 tonnes of manioc, Arrowroots, salep and similar roots and tubers. The relevant legislation related to the import licensing system for these tariff quotas is mentioned in the reply to question 5. As regards the requirements for applicants for import licences see reply to question 6.

#### Purpose and coverage of licensing

2. See answer to question 1. The product covered by the tariff rate quota is as follows:

Description of products	Tariff item number(s)
Manioc (casava), other than pellets of flour and meal	ex 0714 10
Arrowroot, salep and similar roots and tubers with high starch content	ex 0714 90

3. The system applies in the European Community to manioc. The tariff quota is allocated to the following countries: Indonesia, other GATT countries (except Thailand) China, and other non-GATT countries. A part of this later mention country allocation is related to manioc of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg.

4. See answer to question 1. As referred to in the answer to question 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 2449/96 of 18 December 1996 (OJ L 333) as amended by Commission Regulation (EC) N° 2780/99 of 27 December 1999 (OJ L 344).

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

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.

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 answer to question 5). There is no derogation from the licensing requirement.

The tariff quota is an annual tariff quota managed on calendar year basis.

The imports under the tariff quota are subject to the presentation of an import licence that is issued subject to the submission of a certificate of origin, except as regards imports from products originating in China. Furthermore in the case of products originating in Indonesia and China, the licence application has to be accompanied by an export licence issued by the competent authority in these countries. Applications for import licences have to be submitted to the competent authorities in the Member States. The competent authorities in the Member States have to notify to the Commission on the day following the day on which applications are lodged the application that have been lodged. The competent authorities issue the import licences unless they receive notification from the Commission that the conditions laid down in the relevant legislation have not been fulfilled.

7. Question 7 related to no quantitative limits 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 included in the EC Regulations set out in answer to question 10 of the main notification for 2000. Regarding the information required in applications, see the application form and Commission Regulation (EC) No 2449/96 of 18 December 1996 (published in OJ L 333, page 14) as amended by Commission Regulation 2780/99 of 27 December 1999 (OJ L 334, page 20).

11. The import licence, the certificate of origin, except in cases of imports from China and the export certificate in cases of imports originating in Indonesia and China.

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. Import licences are valid 60 days from the date of issue. However, licences issued for products originating in Indonesia or China are valid for the duration of the period of validity of the export licence plus 30 days (i.e. 150 days 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. Licences are not transferable.

17. No.

Other procedural requirements

18. No.

19. Not relevant.

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