

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

Notification under Article 7.3 of the
Agreement on Import Licensing Procedures¹

ICELAND

The following communication, dated 30 September 2004, is being circulated at the request of the Delegation of Iceland.

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

I. AGRICULTURAL GOODS: Animals, (Including Birds, Fish and Insects) Animal Products, Feeding stuffs, Seeds, Fertilizers, Plants, Plant Products and Goods of General Quarantine Concern.

Outline of Systems

1. According to Icelandic law, the measures regulated under the supervision of the Ministry of Agriculture (which controls the importation of animals, animal products, feed, seeds, fertilizers, plants, plant products and goods of general quarantine concern) can be divided into five categories:

- (a) Measures regarding the **importation of live animals** are contained in Act no. 54/1990 on the importation of animals, regulation no. 444/1982 on fur farming and the importation of fur-bearing animals, and regulation no. 431/2003 on the importation of pets and canine semen. The importer must apply to the Minister of Agriculture for an import licence to import live animals. The Minister is authorised to grant exemptions to this ban only upon the recommendation of the Chief Veterinary Officer (CVO). In light of Iceland's special position as regards animal diseases, the CVO assesses whether contagious agents which are hazardous to animals or people can be carried to Iceland with the animal in question. Data is principally procured from the country of origin in question, i.e. the domestic veterinary regulatory authorities, and the World Organisation for Animal Health (OIE), as well as other international organisations dealing with animal diseases.
- (b) Measures which apply to import of **animal products, soil and other items of general concern** are contained in Act no. 25/1993 on animal diseases and prevention thereof and Act no. 66/1998 on veterinary services, as well as regulation no. 509/2004 regarding importation of animal products, soil and other items of general quarantine concern. The same procedure as regards live animals applies with respect to animal products that can carry contagious agents which are hazardous to animals or people. In addition, Act no. 87/1995 amending Act no. 99/1993 on the production, pricing and sale of agricultural products authorizes the Minister of Agriculture to ban the importation of animal products and plant products which have been fed or given growth-promoting agents and hormones during their growth period.
- (c) Measures on the **importation of freshwater fish and other freshwater animals** are contained in Act no. 76/1970 on salmon and trout fishing with a cross reference to Act no. 54/1990 on the importation of live animals. Therefore, the same procedures apply as regards other live animals. Icelandic legislation and regulations in this field are based on EU legislation, according to commitments undertaken under the Agreement establishing the European Economic Area.
- (d) Measures which apply to all **importation of feeds, fertilizers and seeds** are contained in Act no. 22/1994 on control of feeds, fertilizers and seeds. Icelandic legislation and regulations in this field are based on EU legislation, according to commitments undertaken under the Agreement establishing the European Economic Area. The importer notifies the Feed, Seed and Fertilizer Inspectorate on a special document before importation of a product, assuming the product has already been registered by the Feed, Seed and Fertilizer Inspectorate.
- (e) Measures which apply to the **importation of plants, plant products, soil, and compost for mushroom growing** are contained in Act no. 51/1981 on protection against plant diseases and pests. In addition, Act no. 87/1995 amending Act no. 99/1993 on the production, pricing and sale of agricultural products authorizes the Minister of Agriculture to ban import of animal products and plant products which have been fed or given promoting agents and hormones during their growth period.

Purposes and coverage of licensing

2. Imports under (a) to (e) above are generally subject to non-automatic licensing. Some imports under (c) and (d) above are subject to automatic licensing. The measures under (a) above apply to all live animals. Product coverage under (b) above is defined by Article 3 of regulation 509/2004 on measures to prevent the introduction of animal diseases and contaminated products. The measures under (c) above apply to all freshwater fish and animals. The measures under (d) cover all feeds, seeds and fertilizers. The measures under (e) cover all plants, plant products, soil, and compost for mushroom growing.

3. The same rules apply to all countries for (a) to (e) above.

4. The purpose of the licensing system is to protect human, animal or plant life or health.

5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:

- Act no. 54/1990 on importation of animals and regulation no. 444/1982 on fur-bearing animals.
- Act no. 25/1993 on animal diseases and prevention thereof, regulation no. 509/2004. Act no. 66/1998 on veterinary services.
- Act no. 76/1970 on salmon and trout fishing.
- Act no. 22/1994 on control of feed, fertilizers and seeds, regulations nos. 340/2001 on control of feed, 301/1995 on control of seeds and 398/1995 on fertilizers and soil improvers (all regulations are based on EU legislation).
- Act no. 51/1981 on protection against plant diseases and pests, regulation no. 189/1990 on import and export of plants and notice no. 110/1992 on fee for inspections of imported plants.

The Ministry of Agriculture is responsible for administration of all the legislation regarding live animals, animal products, feed, plants, plant products, seeds, seedlings and fertilizers. The Ministry of Fisheries is responsible for the legislation on treatment of fish products and supervision of their production, except monitoring the health of freshwater fish as well as inspection of fish meal, fish oil and other marine products used as animal feed.

The legislation does not allow for administrative discretion regarding goods/items subject to import controls. It is not possible for the Government or the executive branch to abolish the systems without legislative approval.

Procedures

6. Not applicable.

7.(a) Application for an import licence is mandatory in advance of arrival of the goods imported for the first time, to allow time for any necessary checks to be made regarding details supplied etc. In certain circumstances import permission can be given for goods which have arrived at the point of entry and where no pre-arranged permission is available.

Prior to importation of all goods under Act No. 22/1994, the goods to be imported have to be registered with the Feed, Seed and Fertilizer Inspectorate. Following the initial registration, each time importation of the registered goods takes place the competent authority has to be notified in advance (48 hours for feeding stuffs) to make inspection possible without delaying disembarkation. All changes in the goods following the initial registration have to be

registered with the competent authority. A veterinary certificate is required for feeds containing products of animal origin.

- (b) In most cases, licenses cannot be granted immediately upon request.
- (c) Permits may be issued at any time of the year.
- (d) Application for import permission are submitted to the following Agencies/Ministries:

Ministry of Agriculture:

Live animals and their genetic material, fur-bearing animals, animal products and other items of general quarantine concern, fresh water fish and roes, live ornamental fish and roes, compost for mushroom growing.

Feed, Seed and Fertilizer Inspectorate, Ministry of Agriculture:

Feed, seed, fertilizers and soil improvers.

Agricultural Research Institute, Ministry of Agriculture:

Plants, plant products, soil.

- 8. Any refusal of an import license will be based on a judgment that the importation in question poses a risk to human, animal, or plant life or health.

Eligibility of importers to apply for licence

- 9.(a) Not applicable.
- (b) All persons, firms and institutions are eligible to apply for import licenses.

Documentational and other requirements for application for licence

- 10. Applications for registration of goods and/or import licenses must be made in writing to the relevant authorities. The form of the application and information required will depend on the nature of goods to be imported. The importer should approach the competent authority which has jurisdiction over the goods, specifying the details of the animal, animal product or goods to be imported. The addresses for correspondence are:

Ministry of Agriculture
Sölvhólgata 7
150 Reykjavík
Tel: 354 560 9750
Telefax: 354 552 1160

Feed, Seed and Fertilizer
Inspectorate.
RALA Keldnaholti
112 Reykjavík
Tel: +354 577 1010
Telefax: +354 577 1020

Agricultural Research Institute
RALA Keldnaholti
112 Reykjavík
Tel: +354 591 1500
Telefax: +354 591 1566

- 11. Necessary documents include official certificates of origin and health.
- 12. Where importation requires periods of quarantine or sanitary treatment so as to eliminate the risk of entry into Iceland of diseases and pests, the importer will usually be required to bear the cost of

such action. Specific details of charges may be obtained on inquiry directed to the appropriate permit-issuing authority. Importers of other goods shall bear all expenses that may be incurred in procuring certificates and taking sanitary measures, including sampling and testing deemed necessary by the CVO.

The following inspection fees shall be paid for customs clearance:

- Feed inspection fee, 0,9% of the CIF value.
- Seed inspection fee, 3,1% of the CIF value
- Fertilizer inspection fee, 0,25% of the CIF value.
- Plant inspection fee, 1% and 2 % depending on the tariff number of the CIF value

13. No.

Conditions of licensing

14. The period of validity of a permit would depend on the nature of the importation. Specific details to be supplied on inquiry. Legislation will normally not allow for an extended licence and a new shipment requires in most cases a new licence. However, this is not applicable for feed, seed, fertilizer and soil improvers where only a registration is required and after which import of the registered goods are permitted.

15. No.

16. Registration and /or licences are not transferable and are usually valid for one shipment only, except for feed, seed, fertilizer and soil improvers.

17.(a) not applicable.

17.(b) No.

18. No

19. No restrictions.

II. THERAPEUTIC SUBSTANCES AND GOODS

Outline of the system

1. The EU directives concerning medical devices have been ratified as part of EFTA's treaty with the EU. National regulations have however not been set yet.

Therapeutic medicines are not subject to special import licences except when the active ingredients are narcotic drugs or psychotropic substances (see following, IV). They must however be registered according to the Pharmaceutical Act no. 93/1994 and Regulation on the registration of proprietary medicinal products and the issuing of marketing authorisations no. 465/1995 or Regulation on the registration of parallel imported medicinal products and the issuing of marketing authorisations no. 582/1995.

III. NARCOTIC DRUGS PSYCHOTROPIC SUBSTANCES AND RELATED CHEMICALS

Outline of the system

1. Licences are issued to control the import of specified narcotic drugs, Psychotropic substances and related chemicals. This system fulfils Iceland's obligation under three United Nations conventions in relation to restricting the supply of controlled substances to what is necessary to meet medical and scientific need and preventing diversion to the illicit drug market.

Purposes and Coverage of licensing

2. The purpose for licensing is to control trade of narcotic drugs, Psychotropic substances and related chemicals according to the ratified United Nations conventions and cover all persons or firms involved in international trade in those substances. The drugs covered are substances listed in addendum I to Regulation on narcotic substances, psychotropic substances and other controlled substances, no. 233 of 2001, with later amendments. This regulation is set according to provision in Article 2 of the Act on controlled substance no. 65 of 1974. The above named addendum includes the drugs and chemicals required to be controlled under the Single Convention on Narcotic Drugs, 1961, and the Convention on Psychotropic Substances, 1971. Regulation regarding control of substances listed in the Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988, has not yet been set. This convention was recently ratified.

An exemption applies in the case of a drug that is imported by a passenger on a ship or aircraft where the drug:

- is required for the medical treatment of the person involved;
- was prescribed by a medical practitioner for the purpose of that treatment;
- was supplied to the person in accordance to the prescription in a legal manner.

3. The system applies to importers of controlled substance from all countries.

4. The use of import licences enables the government to restrict and monitor the quantities of controlled substances imported and is intended to prevent over-supply and diversion of same. The system is based on the requirements of the international conventions.

5. The licensing is maintained by the Act on controlled substances no. 65 of 1974, with later amendments, and the Regulation on narcotic substances, psychotropic substances and other controlled substances, no. 233 of 2001, with later amendments, set by provision in above named act. The licensing is statutorily required. Designation of products to be subjected to licensing (in addition to substances listed in the international conventions) is at administrative discretion. The system cannot be abolished without legislative approval.

Procedures

6. Products under restriction of quantity.

I. National import limits for substances controlled by the Single Convention on Narcotic Drugs and some controlled by the Convention on Psychotropic Substances are set by an estimates system administered by the International Narcotics Control Board (INCB) in Vienna. These limits are published regularly for all parties to the conventions. Estimates of yearly requirements of Psychotropic drugs not requiring import licence are sent to INCB. In cases when import licence for a controlled substance is not required by Icelandic regulation, but exporting country regulation demands it, such a licence is issued upon request.

- II. Not applicable.
- III. Import licences are only issued to persons or firms that have been licensed by the ministry to handle, store or sell controlled substances, issued by the Minister of Health according to the Pharmaceutical Act and the Act on controlled substances. All issued import licences have to be accounted for as to actual usage. Unused licences are deemed invalid. Names of licensed importers are available at the Ministry of Health and Social Security upon request.
- IV. Not applicable.
- V. No limits. Applications are processed immediately within reasonable handling time.
- VI. Import licences are valid for 120 days from date of issue.
- VII. The Ministry of Health and Social Security issues import licences upon application. Import licences are issued for each individual shipment without delay if import limits have not been exceeded.

The Icelandic Medicines Control Agency validates documents required for customs handling of each shipment of controlled substances. This validation is based on the previously issued import licence.

- VIII. First come, first served. No maximum per applicant within set limits for import. No special provision for new importers. All applications are processed immediately.
 - IX. No bilateral quotas. Export permits from exporting country are not required.
 - X. In cases of exporting country requesting endorsement of their export permits such endorsement is given on a quarterly basis.
 - XI. No re-export of controlled substances is permitted.
7. When no quantitative limits are in force:
- (a) No limits. Licences can be issued for goods arriving without one provided importer has licence to handle, store or sell controlled substances.
 - (b) Yes.
 - (c) No.
 - (d) The Ministry of Health and Social Security issues import licences upon application. Import licences are issued for each individual shipment without delay. The Icelandic Medicines Control Agency validates documents required for customs handling of each shipment of controlled substances. This validation is based on the previously issued import licence.
8. An application may be refused if: the import would be excessive to national requirements; and other permission is required but has not been obtained. In the event of refusal the applicant is notified about the reasons and given opportunity for remedy.

Eligibility of importers to apply for licence

- 9.(a) Any person, firm or institution may apply for a licence. A licence will only be granted to holders of a ministerial licence to handle, store and sell controlled substances. Such licence is granted subject to conditions in the Pharmaceutical act and Act on controlled substances and applicant is subject to Icelandic Medicines Control Agency inspections and approval in his operations.

Names of licensed importers are available at the Ministry of Health and Social Security upon request.

- (b) Not applicable.

Documentational and other requirements for application for licence

10. No official form is needed to apply for a licence but the following information must be submitted:

- Name and address of importer
- Name and address of seller (exporter)
- Name and quantity of controlled substance. In case of combination product the name and quantity of the controlled substance in the combination
- How the goods are to be transported (airfreight, sea freight, air post, etc.)
- What the substance is to be used for (medical, research, etc.)

A separate import licence is required for each shipment of controlled substances.

11. The import licence for the particular shipment is required validated by the Icelandic Medicines Control Agency (in addition to invoice, bill of lading, etc.)

12-13. No.

Conditions of licensing

14. An import licence is valid for 120 days from issue date. If it not used within that period it becomes invalid and is not extended. If necessary a new licence is issued.

15-17. No.

Other procedural requirements

18. No.

19. Yes. No. Yes. A form has to be filled out with the name and the ID of the importer.

IV. OZONE PROTECTION

Regulation no. 586/2002, based on EU regulation no. 2037/2000 on substances that deplete the ozone layer, controls import, export, production and use of ozone depleting substances. This regulation replaces older regulations in this field, regulation no. 656/1997 concerning preventive measures against ozone-depleting substances.

Outline of system

1. Regulation no. 586/2002 deals with reduced quota on import of hydrochlorofluorocarbons (HCFCs). It bans the use of halon 1301 and halon 1211 and use of HCFC for the foam industry. Regulation no. 656/1997 established a quota system for import of HCFCs. Administrative approval is required prior to import. Import of other ozone-depleting substances has been banned; since 1 August 1993 for halons, since 1 November 1994 for hydrobromofluorocarbons (HBFCs) and methyl bromide, since 1 January 1996 for methyl chloroform and since 1 January 1995 for chlorofluorocarbons (CFCs) and carbon tetrachloride. Import of aerosols containing CFC has been banned since 1 January 1990, imports of CFC for insulation since 1 January 1994. Import and sale of limited amount of metered dose inhalers containing CFC has been granted on a yearly basis.

Administrative approval is required prior to import of manufactured products that may contain ozone-depleting substances such as refrigerators and portable fire extinguishers.

The administrative approval required prior to import is called import license in this document on Ozone Protection.

Purposes and coverage of licensing

2. Ozone-depleting substances are controlled under the Montreal Protocol on Substances that deplete the Ozone Layer. Within Iceland, Regulation no. 586/2002, earlier Regulation no. 656/1997, implements the control agreed by Parties to the Montreal Protocol and by the EC Regulation no. 2037/2000, earlier regulation no. 3093/1994, on substances that deplete the ozone layer. Import licenses have been required for HCFC since April 1995.

Import licenses for products that may contain CFC and halons have been required since 1 January 1995, for products that may contain HCFC since 1 January 1996. Import licenses for recycled or reused HCFCs have been required since August 1995. Now it is only allowed to import HCFC as refrigerants.

3. The system applies to goods originating from all countries.

4. The import licenses for HCFCs are intended to restrict quantities. Annually we now import about 90% the maximum allowable quantities of HCFCs under Regulation no. 586/2002. There is no quota on import of reclaimed HCFC, only virgin HCFC.

The import licenses for manufactured products under certain custom codes that may contain halon, CFC or HCFC is to ensure that no such goods are imported.

The import license for recycled or reused HCFC is intended to ensure that the substances meet minimum requirements for purity, to check on the country of origin of the substance and also to control quantities.

Alternative methods have not been adopted, as it would not be consistent with international legal obligations.

5. Act no. 52/1988 on toxic and hazardous chemical substances.

Regulation no. 586/2002, on substances which deplete the ozone layer, articles 5, 6 and 11 and Annex 2. The licensing is required under Regulation no. 586/2002. The system cannot be abolished without legislative measures.

Procedures

6.I. The Environment and Food Agency of Iceland (Umhverfisstofnun) deals directly with known importers. There are only 5 importers, located in the Reykjavik area. The importers can apply for a quota to the Environment and Food Agency of Iceland before December 10th each year according to Regulation 586/2002.

The overall amount of allowable virgin HCFC is published in Regulation 586/2002. The amount allocated from each country is not published nor the maximum amount allocated to each importer. Exceptions can be sought through the Ministry for the Environment.

II. Quotas are allocated on a yearly basis for the time period 1 January to 31 December. The size of the quota for each importer is determined from each applicants mean import of HCFC five previous years before the application. Amount left from the total allowable import is divided between all applicants based on the principle of equality and proportionality.

III. Not applicable, there is no production of ozone-depleting substances in Iceland. Not applicable. No. Yes.

IV. Any time before 10 December each year for quota for the following year.

V. Two weeks.

VI. Theoretically it can be done within the same day.

VII. Yes, the Environmental and Food Agency of Iceland. Not applicable. Not applicable. No.

VIII. Past performance, see II above. Anyone may apply for a license. Applications are examined simultaneously.

IX. There are no such bilateral arrangements. Not applicable.

X. Not applicable.

XI. No.

7.(a) About 1-2 days for import licenses for recycled or reused HCFCs, 1-2 days for import licenses for manufactured products that may contain HCFC. About 2-3 weeks for licenses given as exceptions from existing ban on import. Licenses can be given for goods that have arrived at the port.

(b) Yes for import licenses but not for exemptions from existing ban.

(c) No, applications can be made any time of year.

(d) Yes. The Environmental and Food Agency of Iceland consider applications for import licenses. The Ministry for the Environment grants licenses given as exemptions. Approval is required from the Environmental and Food Agency of Iceland. No.

8. If applicants meet criteria, the license is granted. Reasons for refusal would be given to the applicant. The applicant can appeal to the Ministry for the Environment for review of refusal to issue a license. The decision of the Ministry can be appealed according to the Act no. 37/1993 on Administration.

Eligibility of importers to apply for license

9.(a) Yes.

(b) Yes.

Documentational and other requirements for application for license

10. There is no application form. The applicant is requested to submit the following information:

- name and address of applicant;
- amount of substance proposed to import;
- the proposed use of substance;
- amount imported in the last five years.

11. Standard customs documentation and approval from the Environmental and Food Agency of Iceland.

12. Yes. Five hundred Icelandic krona, each time supplies are imported.

13. No.

Conditions of licensing

14. For HCFC, one year. No.

15. No.

16. No. Not applicable.

17. Yes. Trading with countries that are not Parties to the Montreal Protocol is prohibited. Reporting requirements apply to all licenses.

Other procedural requirements

18. No.

19. Yes. No. Yes. A form has to be filled out with the name and ID number of the applicant.

V. RADIOACTIVE GOODS

Icelandic Radiation protection Act no. 44/2002.

Regulations relating to the use of unshielded radioactive sources, no. 809/2003

Regulations relating to the use of shielded radioactive source, no. 811/2003.

Outline of system

1. The import of radioactive material and goods containing radioactive material is prohibited under the provisions of the Radiation Protection Act no. 44/2003 unless a permit of the Icelandic Radiation Protection Institute is granted.

Purpose and coverage of licensing

2. The goods covered include any radioactive material or substance except for radio luminous watches, pocket compasses, meters and other equipment of that nature containing a slight quantity of radioactive materials pending further decisions of the Icelandic Radiation Protection Institute (guidelines GR01:01, Exceptions limits for radioactive materials).
3. The legislation applies to importation of goods from all countries.
4. The importation of radioactive substances is regulated as a community (environment and health) protection measure and to comply with Iceland's international obligations. A monetary value is not a criterion for control.
5. The control on importation of the specified goods is a statutory requirement under the Regulations relating to the use of unshielded radioactive sources, no. 809/2003 and Regulations relating to the use of shielded radioactive source, no. 811/2003, under the Icelandic Radiation Protection Act no. 44/2002. The system cannot be abolished without legislative approval.

Procedures

6. Not applicable.
7. (a) Application should be made in advance of arrival of the goods.
(b) Permits can be issued immediately in case of medicine containing very short-lived radio nuclides.
(c) Permits may be issued at any period of the year.
(d) The Icelandic Radiation Protection Institute grants a permit. Application to import radioactive materials or articles containing radioactive materials must be made to the Icelandic Radiation Protection Institute.
8. Application for permission to import can be refused if intended use is not in accordance with the Icelandic Radiation Protection Act.

Eligibility of importers to apply for licence

- 9.(a) Not applicable.
(b) All persons, firms and institutions are eligible to apply for permission to import.

Documentational and other requirements for application for licence

10. For permit to import applications must be made in writing to the Icelandic Radiation Protection Institute using a special form providing information, such as, on importers name and address, details of the goods to be imported and where the goods are to be used, etc.
11. The written permission is required to be produced upon importation.

12-13. No.

Conditions of licensing

14. Permits apply to one consignment in most cases. Permits can be issued that are valid for one year and are renewed upon appropriate annual report to the Icelandic Radiation Protection Institute regarding all imports in the previous year.

15-16. No.

17.(a) Not applicable.

(b) Intended use of radioactive material must be in accordance with the Icelandic Radiation Protection Act no. 44/2002. Those who have been granted a permit to import radioactive material are only allowed to sell, hire out, lend or hand over by some other means the relevant material to parties that have got a permit from the Icelandic Radiation Protection Institute to use and/or operate them.

Other procedural requirements

18. No.

19. Yes. No. Yes. A form has to be filled out with the name and ID number of the importer.

VI. WEAPONS

Outline of the system

1. According to Icelandic law, measures to regulate and control importation of firearms and other assault devices can be divided into three categories. First and foremost are measures explicitly stated in the Weapons Act, no. 16/1998. Secondly, measures explicitly stated in the Firearms and Ammunition Regulations no. 787/1998, with subsequent amendments. Thirdly, administrative measures, not explicitly stated in statutes. The law, nevertheless requires that such measures have sufficient grounds. Furthermore, each individual administrative decision made according to the above-mentioned measures, is subject to procedural rules laid down in the Administrative Act no. 37/1993.

Weapons in this respect are all arms intended to fire projectiles. At the relevant Minister's discretion the scope of the Act can be extended to include assault devices other than firearms. This has been done with the regulations, with regard to literally all things manufactured for offensive purposes; including knives with blade longer than 12 cm. Realistic replicas of firearms are included as well.

Excluded from the scope of this system are weapons imported for the police and the Coast Guard. On the other hand, the Act allows the responsible Minister to extend the scope to certain categories of commercial products, i.e. construction equipment using compressed air to fire nails, emergency gadgetry, i.e. lifeline guns and signal guns and pin guns used for animal slaughtering. The last category is currently the only one to fall under import limitation stated in the Regulations.

The main provision of the system is a near-complete ban on the importation of automatic firearms and all things manufactured for offensive purposes. Semi-automatic and other firearms are subject to import limitations as described below.

Purposes and coverage of licensing

2. Licensing systems are applied in four channels open for lawful importation of weapons to Iceland:

- Purchase by private persons and their importation upon arrival from abroad.
- Long-distance sale to private persons by mail order.
- Short-term import by foreign visitors.
- Commercial importation by registered firearm vendors.

Weapons covered by all licensing arrangements are:

- Firearms and parts of firearms.
- Ammunition for firearms.

3. The licensing procedures are the same regardless of countries of origin or from which the goods are imported.

4. The purpose of licensing is to ensure ready control of the number, characteristics and distribution of weapons. Such a regulation is needed in the public interests to prevent that these weapons are used offensively. Furthermore it is government policy to restrict proliferation of weapons in certain classes, especially pistols and larger rifles. The monetary value of imports is not a criterion for control.

No other alternative methods have been suggested that could meet these criteria, which is a prerequisite for the effectiveness of licensing individual use and possession of weapons.

5. The Weapons Act no. 16/1998 requires licensing of firearms. Licensing of other weapons and products mentioned before (under reply 1) is optional but has been partially enacted in the Regulations. Express legislative consent is needed in order to abolish the licensing system.

Procedures

6. Not applicable.

7. The application procedure is basically the same for all the four following categories:

(a) Application is best made before attempt is made to bring into the country weapons subjected to an import permit. Circumstances allowing, these permits will be issued if the goods in question have inadvertently arrived at the point of entry.

(b) As a rule, permits are only granted when the relevant application has been scrutinised. This sometimes involves correspondence with local authorities. If haste is paramount, the time this process takes can be cut.

(c) Permits are issued regardless of season.

(d) According to the Weapons Act, it comes under the Commissioner of the Icelandic Police to issue import permits.

8. Applications for import permits can be refused at the discretion of the Commissioner of the Icelandic Police. According to the 1993 Administrative Act, reasons for refusal must be given if requested by the applicant. In practice the significant grounds for refusal are given without delay. The most common grounds for refusal are lack of information and/or evidence of improper handling of firearms by the applicant. A frequent reason for refusal in the case of private persons is also failure to meet the ordinary criteria for the possession of firearms, i.e. skill and other qualifications.

The right to appeal is to the Ministry of Justice and to the courts. A complaint can also be lodged with the Ombudsman of the Parliament.

Eligibility of importers to apply for licence

9.(b) All persons, firms and institutions are eligible to apply for import permits.

Documentational and other requirements for application for licence

10. In the case when a decision is made to grant registered firearm vendors an import permit, the following information must be made available to the Commissioner of the Icelandic Police for the proper form to be issued.

- Name and address of the importer
- Name and address of the supplier (exporter)
- Exact description of the weapons to be imported
- Exact quantity of weapons to be imported
- The unique number of the application (issued on receipt by the Ministry)

In practice, the Commissioner of the Icelandic Police generally issues a statement of eligibility for imports, alongside the initial registration of the firearm vendor. The vendor may therefore expect a positive reply to his application unless there has been a change of conditions.

11. Immediately prior to actual importation the vendor must present customs clearing papers to the competent local police officer along with a copy of the import permit. The officer then validates with a signature, that the weapons to be imported are in accordance with the permit. The officer keeps a copy of the customs papers for future reference, e.g. if the permitted quantity is to be imported in steps. The customs officer, having received the signed papers, then hands over the goods.

12. 12-13. No.

Conditions of licensing

14. As a rule the permits are valid for six months. The validity can be extended if the police officer in charge accepts such an extension. The permit is always limited to the stated goods only and cannot be extended.

15. No.

16. Permits are issued to a certain vendor and cannot be transferred to another one.

17. Such conditions arise directly from the law, regarding the custody, use, disposal and distribution of the imported goods.

Other procedural requirements

18. No.

19. Yes. No. Yes. A form has to be filled out with the name and the ID number of the importer.

VII. COMMUNICATION EQUIPMENT

Outline of systems

1. For the import of telecommunication equipment including radio, the licensing system is based upon equipment having a CE marking in accordance with the Terminal Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999, on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity, to confirm that it fulfills the appropriate requirements pertaining to telecommunications equipment within the European Economic Area. A national licensing procedure is not required. This applies to: all types of radio equipment that have not been specifically excepted; and all subscriber equipment, i.e. telecommunication equipment that is connected or can be connected to public telecommunications networks.

Purposes and coverage of licensing

2. The licensing system applies to radio equipment and non-radio equipment connected to public telecommunication networks.
3. The system applies to goods irrespective of country of origin.
4. The licensing is not intended to restrict the quantity and value of imports. The purpose of the system is to ensure that technical requirements are met including electromagnetic compatibility.
5. The licensing is maintained under the law on telecommunications no. 81/2003 and the regulation on CE marking no. 589/1994. Licensing is required by the law on telecommunications. The legislation does not leave designation of products to administrative discretion. The law cannot be abolished except with the express approval of the legislature.

Procedures

6. Not applicable.
- 7.(a) There is no need for an application procedure.

Eligibility of importers to apply for licence

9. All persons, firms and institutions may import without a prior application for an individual licence.

Documentational and other requirements for application for licence

11. At actual importation the appropriate custom forms must be completed and invoices presented.

Conditions of licensing

Not applicable

Other procedural requirements

18. In some cases allocation of a frequency/frequencies for radio equipment may need to be obtained prior to equipment utilising those frequencies being taken into use.
19. Payment for import of foreign goods is not within the jurisdiction of the telecom authorities.

VIII. MACHINES FOR PUBLIC WORKS

Outline of the system

1. According to Regulation no. 388/1989, Directors of Customs are unauthorised to clear through customs new or used mobile or other construction machinery, which are subject to the said Regulation, prior to a declaration in relation thereto issued by the Administration of Occupational Safety and Health. At present the process is as follows:

The importer shall apply for the registration of each mobile and the construction machinery he or she intends to import by filling in a special application form. The Administration of Occupational Safety and Health then allocates a specific registration number to the machinery, writes the number down on the application form which is then returned to the importer. In most cases this will be accomplished by the use of a fax-machine and the application will thus be dealt with in few minutes. By then the Administration of Occupational Safety and Health has fulfilled its task concerning the customs registration of the machinery. Subsequent to the registration of the machinery the Administration of Occupational Safety and Health will inspect all machinery subject to inspection in accordance with Regulation no. 388/1989, and at present this means that the machinery's compliance with the requirements of Regulation no. 761/2001 on Machinery and Technical Equipment will be checked.

Purposes and coverage of licensing

2. This procedure concerns the following categories of machinery listed in the Annex to Regulation no. 388/1989:

Tower cranes, mobile cranes bigger than 18 MT, overhead cranes, cranes smaller than 18 MT, excavators heavier than 4,000 kg., wheel loaders, bulldozers, motor grades, industrial tractors, forklift truck < 10 MT capacity, forklift truck > 10 MT capacity, compactors, asphalt pavers, drilling rigs, grinding and screening installations, mobile work platforms.

3. No distinction is made as to the question of origin provided the machinery meets the requirements of Regulation no. 761/2001, containing, inter alia, provisions regarding CE-labelling and declaration of conformity.

4. The said procedure serves the sole purpose of compiling a list of the machinery, subject to inspection in accordance with Regulation no. 388/1989, in order to facilitate its subsequent registration and inspection. This procedure does not impose any import restrictions, except those referred to in answer No. 3. Since the procedure has produced very good results and no complaints have been filed, there has been no reason to replace it.

5. The Act on Working Conditions and Occupational Health and Safety no. 46 of 28 May 1980; Regulation on Registration and Inspection of Mobile and Other Construction Machinery no. 388/1989; Regulation on Machinery and Technical Equipment no. 761/2001. No. Yes.

Procedures

6. There are no restrictions on quantity or value.
 - 7.(a) No time limits have been set concerning the application for registration of the machinery. The importer may apply for registration at his or her convenience.
 - (b) Yes.
 - (c) No such limits.
 - (d) The application form signed by the Administration of Occupational Safety and Health, thus confirming the registration of the machinery, serves subsequently as a document when the importer clears the machinery through customs with the customs authorities in question.
8. Registration is never refused. Where information on the application form is insufficient or incorrect, the importer in question is contacted and the application jointly adjusted and then taken care of.

Eligibility of importers to apply for licence

9. No demands are made as to who applies for registration of the machinery.

Documentational and other requirements for application of licence

10. All new machines for public works and change of ownership of older machines must be registered at the Administration of Occupational Safety and Health. In the case of a new model, a declaration of conformity is requested in accordance with Regulation no. 761/2001.

Information required for the registration, are: registration number (licence plate number), name, address and ID number of owner and former owner, type of equipment, production year, production country, production number, weight of machine, size of engine, horsepower, name of insurance company, lifting capabilities (for cranes and fork lift trucks) and type of fuel used.

11. None.
12. A registration fee amounting USD 30 is collected. The registration fee and the fee charged for the first inspection of the machinery are collected simultaneously.
13. No.

Conditions of licensing

14. No period of validity has been determined.
15. The machinery will not be cleared through customs unless a signed application for registration is at hand.
- 16-17. No.

Other procedural requirements

18. No.
19. Yes, No, Yes. A form has to be filled out with the name and the ID number of the importer.

IX. HAZARDOUS AND HEALTH-RELATED GOODS

- (a) Act no. 52/1988 on toxic and hazardous chemical substances, with amendments.
- (b) Regulation no. 137/1987 on the use and restrictions on use of certain toxic and hazardous substances and preparations, with amendments no. 610/1987.
- (c) Regulation no. 870/2002 prohibiting the import and use of asbestos
- (d) Rules in respect of chrome content in cement no. 330/1989.
- (e) Regulation no. 748/2003 concerning cosmetics.
- (f) Regulation no. 236/1990 relating to the classification, labelling and handling of dangerous substances and preparations with amendments no. 348/1990, 664/1997, 766/1997, 459/1998, 460/1998, 500/1998, 639/1998, 77/1999, 150/1999, 548/1999, 754/1999, 613/2000, 921/2000, 380/2001, 197/2002 and 579/2002
- (g) Rules no. 520/1991 on the import, production and marketing of toys containing lead. Regulation no. 619/2000 on the prohibition of the use of chemicals that contain mercury, arsenic and organic tin compounds (tributyltin), with amendment no. 878/2002.
- (h) Regulation no. 323/1998 regarding the import, use and disposal of PCBs, PCTs and substitutes which are dangerous to the environment.
- (i) Regulation no. 615/1999 on the restriction on marketing of lamp oils, ornamental objects, toys, jokes and hoaxes which contain certain chemicals.
- (j) Regulation no. 903/2002 with amendment no. 612/2003 on the use and the prohibition of use of certain chemicals in paints and for treatment of wood.
- (k) Regulation no. 447/1996 on the use and the prohibition of use of cadmium and its compounds.
- (l) Regulation no. 744/2003 on the use and the prohibition of use of certain substances in the treatment of textile articles.
- (m) Regulation no. 857/1999 on the prohibition of use of certain toxic and dangerous substances, with amendments no. 623/2000 and 483/2002.
- (n) Regulation no. 946/1999 on batteries and accumulators containing certain dangerous substances.
- (o) Regulation no. 50/1984 on the use of dangerous substances and preparations in agriculture and gardening, with amendments no. 213/1984, 235/1986 and 461/2001.
- (p) Register of approved insecticides, herbicides, growth regulators and rodenticides no. 19/2003/L.
- (q) Regulation no. 196/2000 on restriction on the manufacture, import and distribution of toys containing phthalates.
- (r) Regulation no. 464/2001 regarding restriction on nickel in certain products.

- (s) Regulation no. 396/2003 relating to restriction on the use of certain substances in motor vehicles.
- (t) Regulation no. 635/2003 relating to restriction on the use of short chain chlorinated paraffin's.
- (u) Regulation no. 872/2003 relating to restriction on the marketing and use of nonylphenol and nonylphenoethoxylates.
- (v) Notice no. 940/2000 on entry into force of EEA regulations concerning the export and import of dangerous chemicals.

Outline of the system

1. The import of certain goods, which are a threat to consumer welfare, human health and safety or threat to the environment, is prohibited under the provisions of the act no. 52/1988 on toxic and hazardous chemical substances and the above-mentioned regulations unless specified conditions, restrictions or requirements are complied with.

For some goods administrative approval or import licence is required prior to each import in other cases open administrative approval is given without any limits. Conditions for marketing may be labelling requirement and/or restrictions regarding sale and use of the goods.

Purposes and coverage of licensing

2. To ensure safe handling of the goods and to keep control on the quantities imported and used.

The following goods are included in the system. References relate to laws and regulations mentioned above:

Toxic substances and preparations classified according to Regulation no. 236/1990 (f); (a) Import licence is requested for each shipment.

Pesticides, insecticides, rodenticides, and molluscicides; (a), (p), (q) The product has to be registered – Import licence is requested for each shipment.

Disinfectants; (a), (b) Approval has to be given from the Environmental and Food Agency.

Methanol; (a), (b) Import licence is required for each shipment.

Aerosols containing toxic substances and certain other hazardous substances classified according to Regulation no. 236/1990 (f); (n) May not be imported or placed on the market for sale to the general public.

Aerosol generators intended for entertainment or decorative purposes containing substances classified as flammable according to Regulation no. 236/1990 (f); (j) May not be imported or placed on the market for sale to the general public.

Cosmetics containing substances listed in Annex 2, Regulation no. 748/2003(e) or other colouring agents, preservatives or UV filters than those listed in annexes 4-6 to Regulation no. 748/2003; (e) May not be imported or placed on the market.

Paint and colours containing >1% of toxic substances classified according to Regulation no. 236/1990 (f), paint containing cadmium, cadmium compounds, specified lead carbons or sulphates (k); (b) May not be imported or placed on the market for sale to the general public, (k) Import is prohibited, exemptions can be granted in special cases.

Asbestos; (c) Import is prohibited, exemptions can be granted in special cases.

PCB's, PCT's, Ugelec 141, Ugelec 121 (Ugelec 21) and DBBT, equipment containing aforementioned substances; (i) Import is prohibited, exemptions can be granted in special cases.

Cement containing water-soluble chrome (Cr+6) 2 mg/kg dry cement; (d) Import is prohibited, exemptions can be granted in special cases.

Toys containing lead; (g) Import licence is requested for each shipment.

Toys containing >5 mg/kg benzene; (j) May not be imported or placed on the market.

Coloured or perfumed lamp oil classified as dangerous according to Regulation No. 236/1990(f) and assigned the risk phrase R65 Harmful: may cause lung damage if swallowed; (j) May not be placed on the market unless in packaging 15 litres.

Ornamental objects, games, tricks and jokes may not contain liquid substances or preparations, which are regarded dangerous according to Regulation no. 236/1990 (f); (i) jokes and hoaxes with certain ingredients listed in Regulation 615/1999; (j) May not be imported or placed on the market.

Antifouling substances, paint and other products, intended to prevent fouling by micro-organisms, plants or animals on the hulls of boats and on other appliances or equipment totally or partly submerged, containing mercury (Hg), arsenic (As) or organic tin compounds; (h) Import and use is prohibited. Wood preservatives; (a) Approval has to be given from the Environmental and Food Agency; (k) Import and use of wood preservatives with mercury is prohibited, special conditions are bound to the use of arsenate in wood preservatives.

Plastic products coloured by cadmium or its compounds and products of vinyl chloride polymers stabilised by cadmium or its compounds if cadmium exceeds 0,01% by mass of the material, cadmium plated metallic products; (l) Import is prohibited, exemptions can be granted in special cases.

Textile articles intended for clothing containing specific flame retarding materials, heavy-duty industrial textiles impregnated with mercury compounds or textiles intended for clothing or decorative furnishings impregnated with PCP and clothing colored with azodyes; (m) May not be imported or placed on the market.

Certain pesticides and other chemicals, which are hazardous to human health or the environment, listed in Regulation 857/1999; (n) Import is prohibited, exemptions can be granted in special cases.

Batteries containing >0.0005% mercury except for button cells containing >2% mercury (w/w); (o) May not be imported or placed on the market.

Toys and childcare products intended for children under the age of three may not be imported or placed on the market if they contain phthalates (r).

Metal objects made of nickel, which may come into contact with human skin may not be imported or placed on the market (s).

Certain objects in motorised vehicles and parts thereof may not contain mercury, cadmium, lead or hexavalent chromium (t).

Short chain chlorinated paraffin's are prohibited in metal industry, leather liquoring, in plasticizers and flame retardants (u).

Nonylphenol and nonylphenoethoxylates may not be put on the market or used in substances or constituents of preparations for various industrial purposes (v).

Certain pesticides and hazardous industrial chemicals may not be exported or imported unless an approval has been given by the authorities in the importing country (w).

3. The system applies to goods originating from all countries.

4. The import of these goods is regulated as a protection measure. Goods included are known to be associated with particular public health or safety hazards, hazards for the environments or other concerns which warrant restriction or prohibition of their use. The monetary value is not a criterion for control. Alternative methods have not been adopted, as it would in most cases not be consistent with legal obligations.

5. The control on importation of the specified goods is a statutory requirement under the law and regulations mentioned above under IX: HAZARDOUS AND HEALTH-RELATED GOODS and according to the Act no. 7/1998 on hygiene and environmental control and Act no. 134/1995 on product safety. The system cannot be abolished without legislative measures.

Procedures

6. Not applicable.
- 7.(a) Usually 1-3 days for import licences, 2-4 weeks for licences given as exceptions from existing ban on import. In special cases licences can be given within a shorter time limit. Licences can be given for goods that have arrived at the port.
- (b) In special cases import licences can be issued promptly. Exemptions from existing ban can not be given immediately.
- (c) Applications can be made any time of year.
- (d) The Environmental and Food Agency considers applications for import licences. The Ministry for the Environment grants licences given as exemptions. Approval is required from the Environmental and Food Agency. No.
8. If application meets criteria, the licence is granted. Reasons for refusal would be given to the applicant. The applicant can appeal to the Ministry for the Environment for review of refusal to issue a licence. The decision of the Ministry can be appealed according to the Act on Public Administration.

Eligibility of importers to apply for licence

- 9.(a) Yes, but in certain cases import licences are restricted to those having licence to use or marked the relevant products.
- (b) Yes.

Documentational and other requirements for application for licence

10. There is no application form. The applicant is requested to submit the following information:
- name and address of applicant;
 - name and location of the manufacture of the goods;
 - detail information of the product to be imported;
 - amount of substance proposed to import; and
 - the proposed use of the product.
11. Standard customs documentation and approval from The Environmental and Food Agency of Iceland.

12-13. No.

Conditions of licensing

14. Import licences apply only to the import of the stated goods. Open licences are given for some goods; licences for import of specific amount of goods that are exempted from registration are valid for 6 months. No.
15. No.
16. No. Not applicable.

17.(b) Pesticides, rodenticides and insecticides have to be registered.

Other procedural requirements

18. No.

19. Yes. No. Yes. A form has to be filled out with the name and ID number of the applicant.

X. SHIPS, BOATS AND FLOATING STRUCTURES

Outline of the system

1. All ships, boats and floating structures, which are imported to Iceland, have to be approved by the Icelandic Maritime Administration, hereinafter referred to as "IMA". The approval is made by inspections of vessels, their documents and in some cases approval of their drawings prior to import and registration. All ships, boats and floating structures of 6 meters in length and over shall be registered. The right to register a ship, a boat or a floating structure is limited to Icelandic citizens or companies with a legal residence in Iceland. This right also applies to citizens of the EEA Member States. Ships, boats and floating structures used for fishing may only be registered by persons who are Icelandic citizens and have legal residence in Iceland and companies registered in Iceland, which are fully in the ownership of Icelandic citizens with legal residence in Iceland.

Purpose and coverage of licensing

2. No licensing system, as such, is maintained. With regard to import of ships, boats and floating structures, the importer applies to IMA for a permission to import. After a survey of drawings and other documents and an inspection on board the importer is either granted the permission or rejected.

3. The regulations apply to importation from all countries.

4. The purpose is to maintain a certain standard of safety and pollution prevention of Icelandic ships, boats and floating structures. No alternative methods have been considered with regard to import licensing.

5. Act no. 47/2003 on control of ships applies to import of ships, boats and floating structures. The licensing is statutory required. The legislation does not leave the designation of products to be subjected to licensing to administrative description. It is not possible for the government or the executive branch to abolish the system without legislative approval.

Procedures

6. Not applicable for Iceland.

7.(a) In Iceland there are no regulation specifying a maximum or minimum time limit for an application.

(b) No; see replies 1 and 2.

(c) No.

(d) Customs Authorities must approve the importation of ships, boats and floating structures as other importation of any goods into the country. If the ship or the boat is designed for fishing within the Icelandic 200-mile fishing limit, the ship must obtain a fishing quota either through

purchase or rent. The Ministry for Fisheries has to approve the transfer of the quota to the ship or the boat.

8. None. The reason for refusal shall be given to the applicant. In case of IMA, the applicant has the right to appeal to the Ministry of Transport and Communication according to Act. No. 47/2003. The applicant also has the right to appeal to the courts.

Eligibility of importers to apply for licence

9. There is no system for registration of persons or firms permitted to engage in importation. For persons or firms eligible see reply 1. There is a registration fee. There is no published list of authorised importers.

Documentational and other requirements for applications for licence

10. The importer must submit to the IMA, drawings and other documents related to safety, labour matters and pollution prevention. There is no specific form for an application.

11. The buyer must submit to the IMA the Bill of Sale and, if applicable, a document confirming that the ship, the boat or the floating structure has been deleted from the former registry.

12. Yes; the amount depends on the type of the type of the ship, the boat or the floating structure and ranges from USD 50 to USD 120. In addition, the buyer has to pay a special survey fee which depends on the costs involved. Finally the buyer has to pay a stamp fee of 0.4% of the price of the ship, the boat or the floating structure.

13. No.

Conditions of licensing

14. There is no maximum period of validity of import licences specified. However, if the time from the issue of licence to the actual registration is abnormally long, another survey might be required.

15. No.

16-17. See reply 1.

Other procedural requirements

18. No.

19. Yes. No. Yes. An application form with the name and ID number of the applicant has to be filled out at the exchange. Foreign exchange is available without any restrictions at all.

XI. GOODS ORIGINATING IN CERTAIN COUNTRIES

Act no. 5/1969 on the Implementation of United Nations Security Council's Resolutions.

Outline of the system

1. Import sanctions exist on goods originating in certain countries. These sanctions are set according to ACT no. 5/1969 to implement UN Security Council's Resolutions.

Purposes and coverage of licensing

2. Currently import sanctions are in force on all rough diamonds from Liberia.
3. See reply 2.
4. The importation of the goods are regulated in accordance with Iceland's international obligations.
5. The import control is based on Act. no. 5/1969 on the Implementation of the United Nations Security Council's Resolutions. This act cannot be amended without legislative approval.

Procedures

6. Not applicable.
 7. The Government's announcement for sanctions against certain countries usually gives no possibilities to apply for exemption.
 - 8-19. Not applicable.
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