WORLD TRADE ORGANIZATION

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Committee on Import Licensing Original: English

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES[1]

Notification under Article 7.3 of the Agreement on Import Licensing Procedures for 2007

JAPAN

The following communication, dated 25 march 2009, is being circulated at the request of the Delegation of Japan.

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

I. MARINE PRODUCTS

A. IMPORT QUOTA ITEMS

Outline of systems

1. The Minister of Economy, Trade and Industry (METI) shall designate and publish a list of items of goods for which allocations of import quota are required in accordance with Article 3 of the IMPORT TRADE CONTROL ORDER,. Importers of the items set out in the list shall be approved to import them by the METI according to Article 4 of the Order. The approval of import shall not be granted until importers apply for and obtain allocations of import quota in accordance with Article 9 of the order.

The list of import quota items shall be made public by the METI in the Official Gazette, the METI Official Bulletin and the International Trade Bulletin.

Purposes and coverage of licensing

2. Approvals are required for the following marine products.
("ex" indicates that only a part of the heading is covered).

HS No.	Description of Goods
ex 03.01	Herring, Cod, Yellow tail, Mackerel, Sardine, Horsemackerel,
ex 03.02	Saury, roes of Cod and Niboshi (small boiled and dried fish
ex 03.03	for seasoning), live, fresh, chilled, frozen, dried, salted or in brine
ex 03.04	
ex 03.05	
ex 03.07	Scallops, adductors of shell-fish, cuttle-fish and squid (excluding "Mongo ika")
ex 12.12	Edible seaweeds and its food preparations
ex 21.06	

3. In principle, the approval system applies to the products originating or shipped in all countries.

4. In principle, import of the products listed in 2 above shall be restricted quantitatively.

5. The approval system is a statutory requirement of Article 4.1.(1) and Article 9.1 of the IMPORT TRADE CONTROL ORDER. The list of controlled items shall be published as an IMPORT NOTICE in the Official Gazette. It is possible for the Government to abolish the system without legislative approval. (Within the Government, consent shall be required from the Minister of Agriculture, Forestry and Fisheries (MAFF) who has jurisdiction for these products.)

Procedures

6. In principle, the approval system applies to the products originating or shipped in all countries.

I. The information about the application for import quota allocation shall be published in the Official Gazette, the METI Official Bulletin and the International Trade Bulletin. The total amount of import quota shall be published in the METI Official Bulletin and others. Import quota items are classified as follows:

	Items	Originating country
-	Herring, Cod, Yellow tail, Mackerel, Sardines, Horse-mackerel, Sauries, roes of Cod and Niboshi (small boiled and dried fish for seasoning), live, fresh, chilled, frozen, dried, salted or in brine	All countries (country of demand to export)
-	Scallops, adductors of shell-fish, cuttle-fish and squid (excluding "Mongo ika")	All countries (country of demand to export)
-	Edible seaweeds and its food preparations	All countries (country of demand to export)

An application for import licensing is not necessary in such cases where the value of a cargo should be estimated below Yen 180,000 and should be of no-commercial value. In these cases, a declaration shall be sent to customs, and a confirmation shall be received from the customs bureau.

II. The size of quota shall be determined, taking into account the balance of domestic supply and demand. When the METI designates the size of quota, it shall first obtain consent from the MAFF, who has jurisdiction for the product.

The scale of import quota is determined on a one-year basis, based on the forecast of domestic supply and demand. A certificate of import quota is issued for each application made by importers. If more than one application is submitted, the same number of certifications of import quota are issued in one import quota application procedure for a one-year period.

III. The certificate of import quota is issued to importers such as traders. Importers shall submit an application for a certificate of import quota to the METI. After obtaining the certificate of import quota, importers receive certificates of import approval by the METI based on the certificate of import quota. Then importers can import the goods concerned after submitting the import approval to the customs bureau.

Actual importation corresponding to the import quota is confirmed by the report of importation, which importers submit to the METI. Importers are requested to submit such reports according to the application procedure of import quota.

Unused allocations, in principle, are not added to quotas for a succeeding period as the allocation is determined based on the forecast of domestic supply and demand. However, as an exception, it shall be allowed to add to quota of the succeeding period only on condition that an importer has no responsibility for the cause of unused allocations or that prohibition from the exporter's side leads to unused allocations, etc.

The names of importers to whom a certificate for an import quota issued are published in the METI Official Bulletin and the International Trade Bulletin.

IV. Publication of the information concerning procedures shall take place at least 21 days prior to the first day of accepting applications.

V. After receipt of an application of import quota, the METI shall process it as quickly as possible. It would take about 3 weeks to carry out the process required by the METI.

VI. An application for an import quota shall be made prior to the import declaration. After issuance of the certificate of import quota by the METI, with the certificate of import approval issued by the METI, it would be possible for an importer to declare an import anytime, even on the very day of the issuance of the certificate of import quota.

VII. Consideration of an import quota application shall be carried out only by the METI.

VIII. The level of the import quota is determined so that the necessary amount of goods will be imported. However, in the case where the level of import quota is smaller than the total quantity applied for by importers, the capability of an importer is mainly taken into account, specifically, the importer's experience of obtaining an import quota and importing goods, based on certificate of import quota. For new importers, a certain portion of import quota is available to allocate on a "first-come first-served" basis.

Applications for an import quota are examined on receipt.

IX-XI. Not applicable.

7. Not applicable.

8. No application shall be refused if the standard criteria (e.g. the period of application, the eligibility of application, the documentation for application) comply with the procedures.

Eligibility of importers to apply for licence

9. Qualification for application for a certificate of import quota is described on the application form. In principle, importers who are qualified for application should meet any of the following three cases:

1. An importer who has experience of obtaining the certificate of import quota and of importing goods based on the certificate of import quota;

2. An importer who is ordered to get materials by associations of seafood processors, which are admitted by Fisheries Agency, to obtain materials to be processed by the processors;

3. An importer who has experience of importing foods listed in Sections 1 to 4 of the Customs Tariff Schedule and intends to import items subject to import quota with a definite plan.

There is no system of registration of persons or firms permitted to engage in importation.

Documentational and other requirements for application for a licence

10. An application for import quota allocation should be submitted to the METI. Another requirement is a certificate demonstrating that an applicant meets the application criteria.

11. A current certificate of import approval by the METI, which are issued on the certificate for an import quota issued by the METI, is required upon actual importation.

12. There is no licensing fee or administrative charge for a permit.

13. No deposit or advance payment is required in connection with the issuance of permits.

Conditions of licensing

14. The validity term of a certificate of import quota, issued by the METI, is four months, and that of a certificate on import approval, issued by the METI based on the certificate for an import quota, is six months.

Although, in principle, extension of the certificate of import quota and import approval shall not be permitted, however, it is permitted in such a case where an approved importer delegates authority to the other under such conditions as approved by METI..

In the case of an application of an extension for certificates of import quota, the METI may receive the application.

In the case of an application of an extension of less than two months for a certificate of import approval, the customs bureau may receive the application for the extension, and in the case of more than two months, the METI may receive it.

15. A penalty for an importer who has not utilized all or a portion of a licence is as follows:

In cases where an allocation is made for importers who import these products on their own initiatives, or on a first-come, first-served basis, allocation will not be made in the following year for such an importer who has utilized less than 80 per cent of the allocated quota without any justifiable reason.

In cases where an allocation is made for importers who import these products on behalf of users, application for quota in the following year will be limited to the level of actual import performance for such an importer who has utilized less than 90 per cent of the allocated quota without any justifiable reason.

16. Licences may not be transferred.

17. In principle, there are no other conditions attached to the issue of a licence.

Other procedural requirements

18. There are no other administrative procedures required prior to importation.

19. There are no foreign exchange controls.

B. IMPORT APPROVAL ITEMS

Outline of systems

1. The METI shall designate and publish a list of items of goods for which import approval must be obtained, to comply with Article 3 of the IMPORT TRADE CONTROL ORDER. A person wishing to import an item published in the above-mentioned list shall be subject to import approval for imports provided for in Article 4.

The list of items shall be made public by the METI in the Official Gazette, the METI Official Bulletin and International Trade Bulletin.

Purposes and coverage of licensing

2. Approvals are required for the following marine products:

(1) Marine animals and their preparations
HS Nos. 01·06, 02·08, 02·10, 15·04, 15·21, 16·01, 16·02, 23·01, 23·09

(2) Fish, crustaceans, other aquatics and their preparations
HS Nos. 02·08, 02·10, 03·01, 03·02, 03·03, 03·04, 03·05, 03·06, 03·07, 15·04, 15·06, 16·04, 16·05, 21·06, 23·01, 23·09

(3) Products of animal origin (marine animals, fish, crustaceans and mollusc)
HS Nos. 05·04, 05·06, 05·07, 05·08, 05·11

(4) Seaweeds and their preparations
HS Nos. 12·12, 21·06

(5) Whales and their preparations
HS Nos. 01·06, 02·08, 02·10, 15·04, 15·21, 16·01, 16·02, 23·01, 23·09

(6) Salmon and (salmon) trout and their preparations
HS Nos. 03·01, 03·02, 03·03, 03·04, 03·05, 16·04

(7) Bluefin tuna (only fresh and chilled Bluefin tuna farmed in Atlantic Ocean and the Mediterranean)
HS Nos. 03·02, 03·04

(8) Big eye tuna and their preparations
HS Nos. 03·01, 03·02, 03·03, 03·04, 03·05, 16·04, 23·01, 23·09

(9) Southern bluefin tuna (only fresh and chilled Southern bluefin tuna)
HS Nos. 0302, 0304

3.(1) The approval system applies to paragraphs 2(1) to 2(4) for those products coming from waters outside those of Japan (in case of shipment only) (in the case of shipment from harbours of foreign countries and the case of import by fishing boats which have left Japanese territory, excluding a case that the goods have not been trans-shipped from fishing boats which have left places other than Japanese territory).

(2) The approval system applies to paragraph 2(5) for those products coming from the non-member countries of the IWC and the IWC members which have conducted the whaling.

(3) The approval system applies to paragraph 2(6) for those products coming from the People's Republic of China, North Korea and Chinese Taipei.

(4) The approval system applies to paragraph 2(7) for those products coming from the non-member countries of the ICCAT (if places of origin are these countries).

(5) The approval system applies to paragraph 2(8) for those products coming from Bolivia and Georgia (if places of origin are these countries).

(6) The approval system applies to paragraph 2(9) for those products coming from the non-member countries of the CCSBT.

4. The licensing is not intended to restrict the quantity or value of imports.

The objective of measures described in 2(1) - (4) is to ensure that the fish products caught by foreign fishermen and imported to Japan do not adversely affect fishing activities by Japanese fishermen.

The objective of measures described in 2(5) is to comply with the resolution of the IWC, which restricts the import of whale meats and whale products from non-IWC members by IWC members.

The objective of measures described in 2(6) is to observe the provisions of Article 66 of UNCLOS, regarding the principles of the anadromous stocks with reference to the state of its origin. The objective of restriction of 2(7) - (8) above is to observe the resolution of the ICCAT.

The objective of measures described in 2(9) is to comply with the resolution of the CCSBT, which restricts the import of southern bluefin tuna from non-CCSBT members to CCSBT members.

5. The approval system is a statutory requirement of Article 4.1.(2) of the IMPORT TRADE CONTROL ORDER. The controlled items shall be published as an IMPORT NOTICE in the Official Gazette. It is possible for the government to abolish the system without legislative approval; however, consent shall be required from the MAFF who has jurisdiction for these products.

Procedures

6. Not applicable.

7. No quantitative limit on the importation of a product.

(a) The items subject to import approval cannot be imported without a certificate of import approval. An importer shall apply for import approval, in advance of importation, taking into consideration around two weeks of the processing time.

(b) Examination needs sufficient time, therefore, an approval cannot be granted immediately on request.

(c) Importers may apply for import approval in any time of the year.

(d) Applications for import approval are considered only by the METI.

8. Same condition as described under I.A.

Eligibility of importers to apply for licence

9. All persons, firm or institution which fulfils the legal requirements are equally eligible to apply for and obtain import approval.

Documentational and other requirements for application for a licence

10. An application and state of reason should be submitted to the METI.

In case of products listed under paragraph 2(5)-(8), an importer shall submit the confirmation issued by the Fisheries Agency.

11. A current certificate of import approval by the METI is required upon actual importation.

12-13. Same condition as described under I.A.

Conditions of licensing

14. A license is valid for six months from the date of issue. The METI may designate a validity term different from this or extend the validity as required by certain circumstances.

An applicant has to approach customs bureau in the case of an application for extension of less than two months of validity, and in the case of more than two months, to the METI.

15. There is no penalty for the non-utilization of a licence or a portion of a licence.

16.-17. See reply of import quota items in marine products section.

Other procedural requirements

18-19. See reply of import quota items in marine products section.

II. MEDICINES AND CHEMICAL PRODUCTS

Outline of systems

1. See reply of import approval items in marine products section.

Purposes and coverage of licensing

2. Approvals are required for the following medicines and chemical products:

HS No.	Description of Goods
ex 1211	Narcotic, chemical products, category

ex 1301, 1302, ex 2906, ex 2524, ex 2903, ex 2904, ex 2907, ex 2909, ex 2910, 2914, ex 2918, ex 2921, ex 2922, ex 2924, ex 2926, ex 2930, ex 2931, ex 2932, ex 2933, ex 2934, ex 2939, ex 3002, ex 3003, ex 3004, ex 3404, ex 3506, ex 3605, ex 3822, ex 3824, ex 4005, ex 4016

Preparations, etc., which contain more than 0.1% by weight of the substances listed in Article 16.1 (4)[2] of the Enforcement Order of Industrial Safety and Health Law (Cabinet Order No. 318. 1972).

3. The approval system applies to products coming from all countries.

4. The licensing is not intended to restrict the quantity or value of imports. The approval system exists to protect the life and health of humans, animals, and plants. A certificate for an import approval shall be issued to a person obtaining permission from the Ministry (MAFF or MHLW) which has jurisdiction for goods listed above.

[2] Asbestos

5. The approval system is a statutory requirement of Article 4.1(2) of the IMPORT TRADE CONTROL ORDER. Legislation leaves the designation of products subject to licensing up to administrative discretion. It is possible for the Government to abolish the system without legislative approval.

Procedures

6. Not applicable

7. See reply of import approval items in marine products section.

8. See reply of import quota items in marine products section.

Eligibility of importers to apply for licence

9. The eligibility for an import approval application differs according to items.

- Narcotic: a person who has obtained permission from the MHLW;
- Chemical products: a person wishing to import for the purpose of testing and research, or a person who has been given an order from them;
- Vaccine: a person who has obtained permission from the MHLW, or a person who has been given an unofficial notice from the Director-General, Medicine Bureau, MHLW.

The eligibility for an import approval comes under any one of the items listed above, and there is no other registration system.

Documentational and other requirements for application for a licence

10. An application and state of reason for import license should be submitted to the METI.

11. See reply of import approval items in marine products section.

12-13. See reply of import quota items in marine products section.

Conditions of licensing

14-15. See reply of import approval items in marine products section.

16-17. See reply of import quota items in marine products section.

Other procedural requirements

18-19. See reply of import quota items in marine products section.

III. PROPELLANT POWDERS

Outline of systems

1. See reply of import approval items in marine products section.

Purposes and coverage of licensing

2. Approvals are required for the following propellant powders:

HS No.	Description of Goods
3601	Propellant powders, prepared explosives, safety
3602	fuses, etc.
ex 3603	

3. See reply of medicines and chemical products.

4. The licensing is not intended to restrict the quantity or value of imports. The approval system is for security purposes. A certificate for an import approval shall be issued to a person and obtained by manufacturing or selling permission.

5. See reply of medicines and chemical products.

Procedures

6. Not applicable

7. See reply of import approval items in marine products section.

8. See reply of import quota items in marine products section.

Eligibility of importers to apply for licence

9. Only a person who has obtained manufacturing or selling permission is eligible to apply for an import approval.

The eligibility for an import approval comes under any one of the above. There is no other registration system.

Documentational and other requirements for application for a licence

10. See reply of medicines and chemical products section.

11. See reply of import approval items in marine products section.

12-13. See reply of import quota items in marine products section.

Conditions of licensing

14-15. See reply of import approval items in marine products section.

16-17. See reply of import quota items in marine products section.

Other procedural requirements

18-19. See reply of import quota items in marine products section.

IV. NUCLEAR GOODS

Outline of systems

1. See reply of import approval items in marine products section.

Purposes and coverage of licensing

2. Approvals are required for the following nuclear goods:

HS No.	Description of Goods
2612	Nuclear materials, nuclear fuel, nuclear reactors,
ex 2844	instruments and apparatus containing nuclear
ex 8109	fuel materials, for measuring or detecting
8401	ionising radiations, tubes of zirconium, etc.
ex 9030	

3. See reply of medicines and chemical products section.

4. The licensing is not intended to restrict the quantity or value of imports. The approval system is for security purposes. A certificate for an import approval shall be issued to a person who deals with refinement, processing, establishing nuclear reactors, or reprocessing, after having obtained the described permission.

5. See reply of medicines and chemical products.

Procedures

6. Not applicable.

7. See reply of import approval items in marine products section.

8. See reply of import quota items in marine products section.

Eligibility of importers to apply for licence

9. A person who refines, processes, establishes nuclear reactors or reprocesses after having obtained the described permission is eligible to apply for an import approval.

The eligibility for an import approval comes under any one of the above. There is no other registration system.

Documentational and other requirements for application for a licence

10. See reply of medicines and chemical products section.

11. See reply of import approval items in marine products section.

12-13. See reply of import quota items in marine products section.

Conditions of licensing

14-15. See reply of import approval items in marine products section.

16-17. See reply of import quota items in marine products section.

Other procedural requirements

18-19. See reply of import quota items in marine products section.

V. WEAPONS

Outline of systems

1. See reply of import approval items in marine products section.

Purposes and coverage of licensing

2. Approvals are required for the following weapons:

HS No.	Description of Goods
ex 8411	Weapons, ammunition and parts thereof, etc.
ex 8412, 8710, ex 8802, ex 8906, 9301, 9302, 9303, 9304, ex 9305, 9306, 9307	

3. See reply of medicines and chemical products section.

4. The licensing is not intended to restrict the quantity or value of imports. The approval system is for security purposes. A certificate for an import approval shall be issued to a person who is entrusted imports by public bodies in the state or at local level, or who obtains manufacturing permission.

5. See reply of medicines and chemical products.

Procedures

6. Not applicable.

7. See reply of import approval items in marine products section.

8. See reply of import quota items in marine products section.

Eligibility of importers to apply for licence

9. A person who is entrusted to import by public bodies in the state or at local level, or who obtains manufacturing permission is eligible to apply for an import approval.

The eligibility for an import approval comes under any one of the above. There is no other registration system.

Documentational and other requirements for application for a licence

10. See reply of medicines and chemical products section.

11. See reply of import approval items in marine products section.

12-13. See reply of import quota items in marine products section.

Conditions of licensing

14-15. See reply of import approval items in marine products section.

16-17. See reply of import quota items in marine products section.

Other procedural requirements

18-19. See reply of import quota items in marine products section.

VI. WILD ANIMALS AND PLANTS

Outline of systems

1. See reply of import approval items in marine products section.

Purposes and coverage of licensing

2. Approvals are required for:

(1) Animals (excluding sperm whale, beaked whale, mink whale, sei whale, bryde's whale and fin whale) and plants included in Appendix Ⅰ of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (hereafter referred to as the "Washington Convention"), plus their parts and derivatives.

(2) Animals and plants belonging to species listed in Annex II of the Washington Convention (except for whales and their preparations, and also except for whale shark, basking shark, white shark and sea horse), plus their parts and derivatives (for plants, only those parts and derivatives specified in Annex II).

(3) Animals and plants belonging to species listed in Annex III of the Washington Convention, plus their parts and derivatives.

3. (1) The approval system applies to paragraph 2.(1) with regard to that coming from all countries.

(2) The approval system applies to paragraphs 2.(2) and 2.(3) coming from non-members of the Washington Convention having no competent authority.

4. The licensing is not intended to restrict the quantity or value of imports. The approval system shall function to perform the duty of the Washington Convention.

5. See reply of medicines and chemical products.

Procedures

6. Not applicable.

7. See reply of import approval items in marine products section.

8. No application shall be refused if the standard criteria (e.g. the period of application, the eligibility of application, the documentation for application) comply with the procedures; however, in principle, approval shall not be given to the items listed in 2.(2) and 2.(3).

Eligibility of importers to apply for licence

9. Only importers concerned with museums or zoos, and imports for scientific research, as well as imports of artificial propagation animals or plants for businesses, and the imports of animals or plants that have been acquired are eligible to apply for import approval.

The eligibility for an import approval comes under any one of the above. There is no other registration system.

Documentational and other requirements for application for a licence

10. See reply of medicines and chemical products section.

11. See reply of import approval items in marine products section.

12-13. See reply of import quota items in marine products section.

Conditions of licensing

14-15. See reply of import approval items in marine products section.

16. See reply of import quota items in marine products section.

17. Another condition concerning the issuance of a licence is that when making a declaration to a customs bureau, submission to the customs authorities of the original of the export permit or the certificate of re-export is required.

Other procedural requirements

18-19. See reply of import quota items in marine products section.

VII. SUBSTANCES WHICH DEPLETE THE OZONE LAYER, SPECIFIED HAZARDOUS WASTES, WASTE CHEMICAL WEAPONS GOODS

A. IMPORT QUOTA ITEMS

Outline of systems

1. See reply of import quota items in marine products section.

Purposes and coverage of licensing

2. Approvals are required for controlled substances listed in: Annex A, Group I (excluding Import approval items in Substances which Deplete the Ozone Layer, those used as raw materials for producing other substances and those used for laboratory and analytical purpose); Annex A, Group II (excluding Import approval items in Substances which Deplete the Ozone Layer, and those used as raw materials for producing other substances); Annex B (excluding Import approval items in Substances which Deplete the Ozone Layer, those used as raw materials for producing other substances and those used for

laboratory and analytical purpose); Annex C, Group I (excluding Import approval items in Substances which Deplete the Ozone Layer and those used as raw materials for producing other substances); Annex C, Group II (excluding Import approval items in Substances which Deplete the Ozone Layer, those used as raw materials for producing other substances and those used for laboratory and analytical purpose); Annex C, Group III (excluding Import approval items in Substances which Deplete the Ozone Layer, those used as raw materials for producing other substances and those used for laboratory and analytical purpose); Annex E (excluding Import approval items in Substances which Deplete the Ozone Layer, those used as raw materials for producing other substances, those used for laboratory and analytical purpose and those used for the quarantine of the export or import of cargo) of the Montreal Protocol on Substances that Deplete the Ozone Layer.

3. See reply of medicines and chemical products section.

4. In principle, the permit system shall be intended to restrict the quantity of imports. The approval system shall function to perform the duty of the Montreal Protocol. A certificate for an import quota shall be issued for transactions that are made based on the control of a treaty.

5. The permit system is a statutory requirement of Article 4.1 of the IMPORT TRADE CONTROL ORDER,. (1) and Article 9.1.(1). The controlled items shall be published as an IMPORT NOTICE in the Official Gazette. Legislation leaves the designation of products subject to licensing up to administrative discretion. It would be possible for the Government to abolish the system without legislative approval. See reply of propellant powders section.

Procedures

6. The permit system applies to products coming from all countries.

I. The information about an import quota's application shall be published in the METI Official Bulletin and the International Trade Bulletin.

The total amount is not published.

An application for import licensing is not necessary, in cases where the value of a cargo should be estimated below Yen 180,000 and should be of no-commercial value. In these cases, a declaration shall be sent to customs, and a confirmation shall be received from the customs bureau.

II. The size of quota shall be determined based on the performance according to the Protocol. The amount of an import quota shall be determined on an one-year basis. In principle, for one import quota application procedure, an application shall be made once only, and the certificate for an import quota is issued based on this application. If several applications are made, several certificates based on these applications can be issued.

III. Licensed products shall be restricted quantitatively, which performs the duty of the Protocol. A certificate for an import quota shall be issued to a person who has been through the procedure based on the performance according to the objectives of the treaty.

Whether a certificate of import quota is actually used for imports or not is confirmed by the report of importation which importers are obliged to submit.

In principle, unused allocations are not added to quotas for a succeeding period as the allocation is determined based on the forecast of domestic supply and demand. However, as an exception, it shall be allowed, only on condition that an importer has no responsibility for the cause of unused allocations, or that prohibition from the exporter's side leads to unused allocation, etc.

IV-VII. See reply of import quota items in marine products section.

VIII. When the scale of an import quota application is within the limit of the size of a quota calculated by every application factor, the demand for licences can be fully satisfied. Applications are examined on receipt.

IX-XI. See reply of import quota items in marine products section.

7-8. See reply of import quota items in marine products section.

Eligibility of importers to apply for licence

9. Only a person who carries out transactions that are made based on the control of a treaty is eligible to apply for an import quota.

The eligibility for an import quota comes under any one of the above. There is no other registration system.

Documentational and other requirements for application for a licence

10-13. See reply of import quota items in marine products section.

Conditions of licensing

14-15. See reply of import approval items in marine products section.

16-17. See reply of import quota items in marine products section.

Other procedural requirements

18-19. See reply of import quota items in marine products section.

B. IMPORT APPROVAL ITEMS

Outline of systems

1. See reply of import approval items in marine products section.

Purposes and coverage of licensing

2. Approvals are required for:

(1) Controlled substances listed in Annex A, B, C, Group I, Group II, Group III, D, E of the Montreal Protocol on Substances that Deplete the Ozone Layer coming from non-members of the Montreal Protocol on Substances that Deplete the Ozone Layer.

(2) Specified hazardous wastes in item 1 of Section 2 of the Law for the Control of the Export and Import of Specified Hazardous Wastes and Other Wastes.

(3) Wastes in item 1 of Section 2 of the Waste Management and Public Cleansing Law (except for wastes produced from ship or aircraft navigation in Article 4.2 and for a person who enters Japan carrying wastes).

(4) Specified products in item 3 of Section 2 of the Law on the Prohibition of Chemical Weapons and Regulation.

(5) The chemical substances specified in item 5 of Section 2 of the Law on the Prohibition of Chemical Weapons and Regulation.

3. (1) The approval system applies to paragraph 2.(1) with regard to that coming from all countries excluding members of the Montreal Protocol on Substances that Deplete the Ozone Layer.

(2) The approval system applies to paragraphs 2.(2) to 2.(4) with regard to that coming from all countries.

(3) The approval system applies to paragraph 2.(5) with regard to that coming from all countries excluding members of the Chemical Weapons Convention.

4. The approval system is not intended to restrict the quantity or value of imports. It exists to perform the functions of the Montreal Protocol on Substances that Deplete the Ozone Layer, the Basel Convention on the Control of Movements of Hazardous Wastes and Their Disposal, Waste Disposal and the Public Cleansing Law, the Law on the Prohibition of Chemical Weapons and the Regulation of Specific Chemicals.

5. See reply of medicines and chemical products.

Procedures

6. Not applicable.

7. See reply of import approval items in marine products section.

8. No application shall be refused if the standard criteria (e.g. the period of application, the eligibility of application, the documentation for application) comply with the procedures; however, in principle, approval shall not be given to the items listed in 2.(1) and 2.(5).

Eligibility of importers to apply for licence

9. See reply of import approval items in marine products section.

Documentational and other requirements for application for a licence

10. See reply of medicines and chemical products section.

11. See reply of import approval items in marine products section.

12-13. See reply of import quota items in marine products section.

Conditions of licensing

14-15. See reply of import approval items in marine products section.

16-17. See reply of import quota items in marine products section.

Other procedural requirements

18-19. See reply of import quota items in marine products section.

VIII. ALCOHOL

Outline of systems

1. An importer who intends to import alcohol (which contains alcohol of 90 per cent by vol. or higher (HS No. 2207.10)) for the purpose of test, research or analysis shall obtain the approval of the METI for each import.

Purposes and coverage of licensing

2. An importer who intends to import alcohol (which contains alcohol of 90 per cent by vol. or higher (HS No. 2207.10)) for the purpose of test, research or analysis shall obtain the approval of the METI for each import.

3. The system applies to products coming from all countries.

4. This system does not regulate the volume or value of imports. However, the quantity must be appropriate judging from the purpose of its use. The purpose of the approval system is to allow those who are not the permitted importers to import alcohol for the purpose of using it for test, research or analysis. (In principle, no such approval is required for import of alcohol by an importer with the permission of the import business under the Article 16 of the Alcohol Business Law.)

5. The METI gives approval in accordance with Article 17 of the Alcohol Business Law. The system does not leave any administrative discretion to designate which products are subject to the law. Legislation is necessary to abolish the licensing system.

Procedures

6. Although there is no import quota, the quantity of imports must be appropriate judging from the purpose of its use. The approval system applies to products coming from all countries.

I. An application shall be submitted in accordance with application form No. 17 of the Alcohol Business Law, which was published in the Official Gazette dated 5 October 2000.

II. There is no import quota.

III-IV. A quota system is not applicable.

V. The process of application is carried out within two weeks.

VI. Importers may declare import any time after they obtain import approval in accordance with Alcohol Business Law.

VII. Approval is given only by the METI.

VIII-
IX. There is no import quota.

X. Not applicable.

XI. Approval shall be granted only when alcohol is imported for the purpose of test, research, or analysis.

7. (a) An importer shall apply for import approval, taking into account the time, which usually takes two weeks.

(b) It usually takes two weeks to obtain an import approval. It can not be granted immediately on request.

(c) There is no limitation.

(d) An importer has to approach only the METI.

8. No application shall be refused if an application complies with the ordinary criteria of application procedures. In case that an application for a licence is refused, reasons for the refusal should be explained to the applicant. The applicant can also request for examination to the METI in accordance with the Administrative Appeal Law.

Eligibility of importers to apply for licence

9. There is no restriction.

Documentational and other requirements for application for licence

10. Application for the import approval shall be submitted to the METI in accordance with the application form No.17 of enforcement regulation of the Alcohol Business Law.

11. A valid certificate of import approval issued by the METI is required upon an actual arrival.

12-13. Not applicable.

Conditions of licensing

14. The import approval should be given to the every conduct of import for the purpose of test, research or analysis. Therefore, importers of alcohol shall obtain approval of the METI for each shipment and such approval is valid only for the each occasion of import, and there is no term of validity.

15. There is no penalty for the non-utilization of a licence or a part of a licence.

16. See reply 16 of Import quota items in Marine products section.

17. See reply 17 of Import quota items in Marine products section.

Other procedural requirements

18. See reply 18 of Import quota items in Marine products section.

19. See reply 19 of Import quota items in Marine products section.

IX. ROUGH DIAMONDS

Outline of systems

1. See reply of import approval items in marine products section.

Purposes and coverage of licensing

2. Approvals are required for rough diamonds: HS No. 71.02.

3. See reply of medicines and chemical products.

4. In principle, the approval system is intended to perform the functions of the Kimberley Process Certification Scheme and the United Nations Security Council Resolution 1343 (2001).

5. See reply of medicines and chemical products.

Procedures

6. Not applicable.

7. See reply of import approval items in marine products section.

8. See reply of import quota items in marine products section.

Eligibility of importers to apply for licence

9. There is no restriction.

Documentational and other requirements for application for licence

10. A person wishing to obtain the import approval shall submit to the METI, an application document, an application reason paper for import licences and the Kimberly Process Certificate.

11. A current certificate of import approval by the METI and the Kimberly Process Certificate are required upon actual importation.

12-13. See reply of import quota items in marine products section.

Conditions of licensing

14-15. See reply of import approval items in marine products section.

16-17. See reply of import quota items in marine products section.

Other procedural requirements

18-19. See reply of import quota items in marine products section.

X. CULTURAL PROPERTY ILLEGALLY REMOVED FROM IRAQ

Outline of systems

1. See reply of import approval items in marine products section.

Purposes and coverage of licensing

2. Approval is required for cultural property illegally moved from Iraq after 6 August 1990.
HS Nos. 97.01, 97.02, 97.03, 97.04, 97.05, 97.06

3. The approval system applies to products coming from Iraq.

4. In principle, the approval system is intended to perform the functions of the United Nations Security Council Resolutions 1483 (2003).

5. See reply of medicines and chemical products.

Procedures

6. Not applicable.

7. See reply of import approval items in marine products section.

8. In principle, approval shall not be given.

Eligibility of importers to apply for licence

9. Not applicable.

Documentational and other requirements for application for licence

10-13. Not applicable.

Conditions of licensing

14-17. Not applicable.

Other procedural requirements

18-19. Not applicable.

XI. ALL OF THE GOODS FROM NORTH KOREA

Outline of systems

1. See reply of import approval items in marine products section.

Purposes and coverage of licensing

2. Approvals are required for all of the goods.

3. The approval system applies to products coming from North Korea.

4. In principle, the approval system shall be intended to take the measures decided by the government .

5. See reply of medicines and chemical products.

Procedures

6. Not applicable.

7. See reply of import approval items in marine products section.

8. In principle, approval shall not be given.

Eligibility of importers to apply for licence

9. Not applicable.

Documentational and other requirements for application for licence

10-13. Not applicable.

Conditions of licensing

14-17. Not applicable.

Other procedural requirements

18-19. Not applicable.

XII. WEAPONS AND OTHER ITEMS RELATED TO NUCLEAR PROGRAMMES OR BALLISTIC MISSILE PROGRAMMES FROM IRAN

Outline of systems

1. See reply of import approval items in marine products section.

Purposes and coverage of licensing

2. Approvals are required for weapons and other items related to nuclear programmes or ballistic missile programmes.

3. The approval system applies to products coming from Iran.

4. In principle, the approval system shall be intended to perform the duty of the United Nations Security Council Resolutions 1737(2006) and 1747(2007).

5. See reply of medicines and chemical products.

Procedures

6. Not applicable.

7. See reply of import approval items in marine products section.

8. In principle, approval shall not be given.

Eligibility of importers to apply for licence

9. Not applicable.

Documentational and other requirements for application for licence

10-13. Not applicable.

Conditions of licensing

14-17. Not applicable.

Other procedural requirements

18-19. Not applicable.