

AGREEMENT ON IMPORT LICENSING PROCEDURES

Notification under Articles 1:4(a), 8:2(b) and 7:3 of the Agreement

MOROCCO

The following communication, dated 6 December 2004, is being circulated at the request of the delegation of Morocco.

The Permanent Mission of the Kingdom of Morocco to the United Nations Office at Geneva and Other International Organizations in Switzerland presents its compliments to the Secretariat of the World Trade Organization and has the honour to transmit herewith notifications under Articles 1:4(a) and 8:2(b) of the Agreement on Import Licensing Procedures relating to publications and legislation relevant to import licensing, as well as the Questionnaire on Import Licensing Procedures under Article 7:3.

It should also be noted that Morocco has already notified its regulations in this area in documents G/LIC/N/1/MAR/1 of 29 July 1996, G/LIC/N/1/MAR/1/Add.1 of 28 March 2003, G/LIC/N/3/MAR/1 of 7 August 1996, G/LIC/N/3/MAR/2 of 23 January 1998, G/LIC/N/3/MAR/2/Add.1 of 3 March 1999, and G/LIC/N/3/MAR/3 of 28 March 2003.

Notification under Articles 1:4(a) and 8:2(b)

I have the honour to notify that the rules and information concerning the import licensing procedures applicable in Morocco are published in the Official Bulletin. This notification supplements the notification contained in document G/LIC/N/1/MAR/1 of 29 July 1996, and G/LIC/N/1/MAR/1/Add.1 of 28 March 2003.

- Order No. 1203-02 of 16 July 2002 amending Order No. 1308-94 of 19 April 1994, establishing the list of goods subject to quantitative import restrictions.
- Order No. 616-03 of 26 March 2003 amending Order No. 1308-94 of 19 April 1994, establishing the list of goods subject to quantitative import restrictions.
- Order No. 218-04 of 9 February 2004 amending Order No. 1308-94 of 19 April 1994, establishing the list of goods subject to quantitative import restrictions.

Notification under Article 7:3 of the Agreement on import licensing procedures

Replies to questionnaire on import licensing procedures

Outline of systems

1. Goods and services are freely exportable and importable, subject to the limits established by Law No. 13-89 on foreign trade and any other legislation in force designed to safeguard public morals, health, safety, law and order, protect fauna and flora and the national historical, archaeological and artistic heritage or maintain Morocco's external financial position.

To this end, quality control on the basis of predetermined standards may be carried out and quantitative restrictions on both imports and exports of goods may be implemented in exceptional cases.

Imports require an import indenture ("engagement d'importation") made out in five copies and arranged directly with an approved banking intermediary, selected by the importer. The indenture is valid for six months from the date of signature.

However, goods imported under the special regimes provided for in Chapter 1 of Title VI of the Customs and Excise Code do not require an import indenture. These are goods which may be imported free of import duties and taxes, such as shipments to embassies and diplomatic and consular services, charity shipments, exceptional shipments of no commercial value and goods returning to the national territory that are of Moroccan origin or have been cleared for home use.

An import licence is required for the customs clearance of goods subject to quantitative restrictions. The licence is issued by the Ministry of Foreign Trade after consultation with the ministry or ministries concerned. The decision to grant or refuse the import licence is notified to the applicant by the Ministry of Foreign Trade within 30 days from the date of application. The licence is made out in six copies and is valid for a maximum of six months from the date of issue by the Ministry of Foreign Trade.

The licences must be accompanied by the pro forma invoices made out in five copies. The invoices must show at least the ex-factory unit price, the quantity in appropriate units and the trade description of the imported goods.

Purposes and coverage of licensing

2. In accordance with the provisions of Article 17 of Law No. 13-89 on foreign trade, an import licence is required for goods subject to quantitative restrictions, with a view to safeguarding public morals, safety, health, law and order. Such licences authorize customs clearance and financial settlement of the imports concerned. Import licences are issued by the Ministry of Foreign Trade after consultation with the ministries concerned. They are valid for a period of six months from their date of issue.

Products covered:

In addition to explosives, worn clothing and used and re-treaded tyres, other goods have been added for health and safety reasons to the list of products subject to import licensing, in accordance with Article 1 of Law No. 13-89 on trade, namely wheels fitted with used or re-treaded tyres and used chassis for motor vehicles. Other products have also been added to the list of goods subject to import licensing in accordance with the provisions of the Montreal Protocol of 16 September 1987 on the

marketing and use of substances that deplete the ozone layer and to the provisions of the Chemical Weapons Convention of 1993.

A detailed list of the goods subject to import licensing is annexed hereto.

3. Licences are required for imports from any source. Therefore, any natural or legal person carrying out import operations is free to choose the country of origin.

4. The import licensing system is applied for public health and safety reasons and for environmental protection. Its objective is in no way to restrict the quantity or value of imports, except in the case of certain goods (see reply to question No. 6).

5. Law No. 13-89 on foreign trade and the Order No. 1308-94 of the Minister for Foreign Trade, Foreign Investment and Handicrafts.

The list of goods subject to quantitative import restrictions is established by order of the minister responsible for foreign trade after consultation with the minister or ministers concerned.

Procedures

6. Import licences for products subject to quantitative restrictions are issued as applications are lodged, on a non-discriminatory basis and with complete transparency, in accordance with the principles of the WTO Agreement on Import Licensing Procedures. As they are applied for health and safety reasons, they do not in any way restrict the value or quantity of imports.

Licences for the import of worn clothing and used or re-treaded tyres, however, are not granted for public health and safety reasons.

7. The maximum time-limit for issuing import licences is 30 days from the date of lodging the application. No time-limit has been fixed for lodging licence applications.

8. If an import licence application is rejected, the reasons for refusal are communicated to the applicant within a maximum period of 30 days from the date of the application. Importers may resubmit licence applications.

Eligibility of importers to apply for licence

9. Any natural or legal person lawfully resident in Morocco may apply for an import licence.

Documentation and other requirements for application for licence

10. See the annexes to Order No. 1518-94 establishing the procedures for obtaining import licences.¹

11. The form for import licences must be accompanied by the pro forma invoices made out in five copies. The invoices must show at least the ex-factory unit price, the quantity expressed in appropriate units and the trade description of the imported goods.

12. No.

¹ See notification under Article 8.2(b) of the Agreement on Import Licensing Procedures.

13. No.

Conditions of licensing

14. Import licences are issued by the Ministry of Foreign Trade after consultation with the ministries concerned. They are valid for a maximum of six months from their date of issue.

15. No.

16. No.

17. No conditions other than those specified in Law 13-89 on foreign trade and its implementing texts are attached to the issue of a licence.

Other procedural requirements

18. No.

19. Yes.

ANNEX

List of Goods Subject to Import Licensing

Tariff heading	Product description
29.03.12.00.00	Dichloromethane (methylene chloride)
29.03.14.00.10	Carbon tetrachloride
29.03.19.00.10	Methyl chloroform
Ex 29.03.30.00.20	Methyl Bromide (CH ₃ -Br)
29.03.41.00.00	Trichlorofluoromethane
29.03.42.00.00	Dichlorodifluoromethane
29.03.43.00.00	Trichlorotrifluoroethane
29.03.44.00.00	Dichlorotetrafluoroethane
29.03.44.00.00	Chloropentafluoroethane
29.03.45.00.10	Chlorotrifluoromethane
29.03.45.00.21	Pentachlorofluoroethane
29.03.45.00.29	Tetrachlorodifluoroethane
29.03.45.00.91	Heptachlorofluoropropane
29.03.45.00.92	Hexachlorodifluoropropane
29.03.45.00.93	Pentachlorotrifluoropropane
29.03.45.00.94	Tetrachlorotetrafluoropropane
29.03.45.00.95	Trichloropentafluoropropane
29.03.45.00.96	Dichlorohexafluoropropane
29.03.45.00.97	Chloroheptafluoropropane
29.03.46.00.00	Chlorobromodifluoromethane
29.03.46.00.00	Bromotrifluoromethane
29.03.46.00.00	Dibromotetrafluoroethane
Ex 29.03.49.00.10	Dichlorofluoromethane
Ex 29.03.49.00.10	Chlorodifluoromethane
Ex 29.03.49.00.10	Chlorofluoromethane
Ex 29.03.49.00.10	Tetrachlorofluoroethane
Ex 29.03.49.00.10	Trichlorodifluoroethane
Ex 29.03.49.00.10	Dichlorotrifluoroethane
Ex 29.03.49.00.10	1,1-dichloro-2,2,2-trifluoroethane
Ex 29.03.49.00.10	Chlorotetrafluoroethane
Ex 29.03.49.00.10	1-chloro-1,2,2,2-tetrafluoroethane
Ex 29.03.49.00.10	Trichlorofluoroethane
Ex 29.03.49.00.10	Dichlorodifluoroethane
Ex 29.03.49.00.10	Chlorotrifluoroethane
Ex 29.03.49.00.10	Dichlorofluoroethane
Ex 29.03.49.00.10	1,1-dichloro-1-fluoroethane
Ex 29.03.49.00.10	Chlorodifluoroethane
Ex 29.03.49.00.10	1-chloro-1,1-difluoroethane
Ex 29.03.49.00.10	Chlorofluoroethane
Ex 29.03.49.00.10	Hexachlorofluoropropane
Ex 29.03.49.00.10	Pentachlorodifluoropropane
Ex 29.03.49.00.10	Tetrachlorotrifluoropropane
Ex 29.03.49.00.10	Trichlorotetrafluoropropane

Tariff heading	Product description
Ex 29.03.49.00.10	Dichloropentafluoropropane
Ex 29.03.49.00.10	1,1-dichloro-2,2,3,3,3-pentafluoropropane
Ex 29.03.49.00.10	1,3-dichloro-1,2,2,3,3-pentafluoropropane
Ex 29.03.49.00.10	Chlorohexafluoropropane
Ex 29.13.49.00.10	Pentachlorofluoropropane
Ex 29.03.49.00.10	Tetrachlorodifluoropropane
Ex 29.03.49.00.10	Trichlorotrifluoropropane
Ex 29.03.49.00.10	Dichlorotetrafluoropropane
Ex 29.03.49.00.10	Chloropentafluoropropane
Ex 29.03.49.00.10	Tetrachlorofluoropropane
Ex 29.03.49.00.10	Trichlorodifluoropropane
Ex 29.03.49.00.10	Dichlorotrifluoropropane
Ex 29.03.49.00.10	Chlorotetrafluoropropane
Ex 29.03.49.00.10	Trichlorofluoropropane
Ex 29.03.49.00.10	Dichlorodifluoropropane
Ex 29.03.49.00.10	Chlorotrifluoropropane
Ex 29.03.49.00.10	Dichlorofluoropropane
Ex 29.03.49.00.10	Chlorodifluoropropane
Ex 29.03.49.00.10	Chlorofluoropropane
Ex 29.03.49.00.20	Dibromofluoromethane
Ex 29.03.49.00.20	Bromodifluoromethane
Ex 29.03.49.00.20	Bromofluoromethane
Ex 29.03.49.00.20	Tetrabromofluoroethane
Ex 29.03.49.00.20	Tribromodifluoroethane
Ex 29.03.49.00.20	Dibromotrifluoroethane
Ex 29.03.49.00.20	Bromotetrafluoroethane
Ex 29.03.49.00.20	Tribromofluoroethane
Ex 29.03.49.00.20	Dibromodifluoroethane
Ex 29.03.49.00.20	Bromotrifluoroethane
Ex 29.03.49.00.20	Dibromofluoroethane
Ex 29.03.49.00.20	Bromodifluoroethane
Ex 29.03.49.00.20	Bromofluoroethane
Ex 29.03.49.00.20	Hexabromofluoropropane
Ex 29.03.49.00.20	Pentabromodifluoropropane
Ex 29.03.49.00.20	Tetrabromotrifluoropropane
Ex 29.03.49.00.20	Tribromotetrafluoropropane
Ex 29.03.49.00.20	Dibromopentafluoropropane
Ex 29.03.49.00.20	Bromohexafluoropropane
Ex 29.03.49.00.20	Pentabromofluoropropane
Ex 29.03.49.00.20	Tetrabromodifluoropropane
Ex 29.03.49.00.20	Tribromotrifluoropropane
Ex 29.03.49.00.20	Dibromotetrafluoropropane
Ex 29.03.49.00.20	Bromopentafluoropropane
Ex 29.03.49.00.20	Tetrabromofluoropropane
Ex 29.03.49.00.20	Tribromodifluoropropane
Ex 29.03.49.00.20	Dibromotrifluoropropane
Ex 29.03.49.00.20	Bromotetrafluoropropane
Ex 29.03.49.00.20	Tribromofluoropropane

Tariff heading	Product description
Ex 29.03.49.00.20	Dibromodifluoropropane
Ex 29.03.49.00.20	Bromotrifluoropropane
Ex 29.03.49.00.20	Dibromofluoropropane
Ex 29.03.49.00.20	Bromodifluoropropane
Ex 29.03.49.00.20	Bromofluoropropane
Ex 29.03	Bromochloromethane
29.21.19.0.31	Bis(2-chloroethyl)ethylamine
29.21.19.00.32	Chlormethine (INN) (bis (2-chloroethyl) methylamine)
29.21.19.00.33	Trichlormethine (INN) (tris (2-chloroethyl)amine)
29.30.90.00.71	Hydrogen alkyl (methyl, ethyl, n-propyl or isopropyl) [S-2-(dialkyl (methyl, ethyl, n-propyl or isopropyl) amino) ethyl] phosphonothioates and their O-alkyl (\leq C10, including cycloalkyl) esters; alkylated or protonated salts thereof
29.30.90.00.72	2-chloroethylchloromethylsulphide
29.30.90.00.73	Bis (2- chloroethyl) sulphide
29.30.90.00.74	Bis(2-chloroethylthio)methane
29.30.90.00.75	1,2-bis(2-chloroethylthio) methane
29.30.90.00.76	1,3-bis(2-chloroethylthio)-n-propane
29.30.90.00.77	1,4-bis(2-chloroethylthio)-n-butane
29.30.90.00.78	1,5-bis(2-chloroethylthio)-n-pentane
29.30.90.00.79	Bis (2-chlorethylthiomethyl) ether
29.30.90.00.81	Bis (2-chlorethyltioethyl) ether
29.31.00.00.61	Alkyl(methyl, ethyl, n-propyl or isopropyl) O-Alkyl (\leq C10, including cycloalkyl) phosphonofluoridates
29.31.00.00.62	N,N-dialkyl alkyl (methyl, ethyl, n-propyl or isopropyl) O-Alkyl (\leq 10, including cycloalkyl) phosphoramidocyanidates
29.31.00.00.63	2-chlorovinylchloroarsine
29.31.00.00.64	Bis(2-chlorovinyl)chloroarsine
29.31.00.00.65	Tris(2-chlorovinyl) arsine
29.31.00.00.66	Alkyl (methyl, ethyl, n-propyl or isopropyl) phosphonyldifluorides
29.31.00.00.67	Hydrogen alkyl (methyl, ethyl, n-propyl or isopropyl) [0-2 (dialkyl (methyl, ethyl, n-propyl or isopropyl) amino) ethyl] phosphonites and their 0-alkyl (\leq C10, including cycloalkyle) esters; alkylated or protonated salts thereof
29.31.00.00.68	O-Isopropyle methylphosphonochloridate
29.31.00.00.69	O-Pinacolyl methylphosphonochloridate
30.02.90.90.11	Saxitoxin
30.02.90.90.91	Ricin
36 (except 36.05.00, 36.06.90.00.11)	Explosives, pyrotechnic products, pyrophoric alloys, certain combustible preparations (other than matches and lighter flints)
Ex 38.08.10	Methyl Bromide (CH ₃ -Br)
Ex 38.08.20	Methyl Bromide (CH ₃ -Br)
Ex 38.08.30	Methyl Bromide (CH ₃ -Br)
Ex 38.08.40	Methyl Bromide (CH ₃ -Br)

Tariff heading	Product description
Ex 38.08.90	Methyl Bromide (CH ₃ -Br)
40.12.10.00.00 40.12.20.00 40.12.90.29.00 40.12.90.39.00 40.12.90.90.19 40.12.90.40.90 40.12.90.90.90	Retreaded tyres; used tyres
63.09.00	Worn clothing and other worn articles
Ex 84.14.30	Compressors of a kind used in refrigerating equipment using dichlorodifluoromethane, known as R12, or chloropentafluoroethane, known as R115, on their own or as an azeotropic mixture with other substances
Ex 84.18.10	Combined refrigerator-freezers fitted with separate external doors, using dichlorodifluoroethane, known as R115, on its own or as an azeotropic mixture with other substances
Ex 84.18.21	Household-type refrigerators, compression-type, using dichlorodifluoromethane, known as R12, or chloropentafluoroethane, known as R115, on their own or as a mixture with other substances
Ex 84.18.22	Household-type electrical refrigerators, absorption-type, using dichlorodifluoromethane, known as R12, or chloropentafluoroethane, known as R115, on their own or as a mixture with other substances
Ex 84.18.29	Other household-type refrigerators using dichlorodifluoromethane, known as R12, or chloropentafluoroethane, known as R115, on their own or as an azeotropic mixture with other substances
Ex 84.18.30	Freezers of the chest type, not exceeding 800 litres capacity, using dichlorodifluoromethane, known as R12, or chloropentafluoroethane, known as R115, on their own or as an azeotropic mixture with other substances
Ex 84.18.40	Freezers of the upright type, not exceeding 900 litres capacity, using dichlorodifluoromethane, known as R12, or chloropentafluoroethane, known as R115, on their own or as an azeotropic mixture with other substances
Ex 84.24.10	Extinguishers containing halon gases
Ex.87.06.00.00	Used chassis fitted with engines, for the motor vehicles of headings 8701 to 8705
Ex.87.08.70.00.99	Wheels fitted with retreaded tyres or used tyres
Ex.87.08.99.98.00	Other used chassis for vehicles of headings 8701 to 8705
Ex.87.16.90	Wheels fitted with retreaded tyres or used tyres

Source: Ministry of Foreign Trade