

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹

Notification under Article 7.3 of the Agreement on
Import Licensing Procedures

MALI

The following communication, dated 27 September 2012, is being circulated at the request of the delegation of Mali.

In general terms, Mali's import licensing system, notified in document G/LIC/N/3/MLI/1, remains valid for the year 2012. Minor amendments have been made to the following points: 1(b)(i), (ii), 2(i), 3, 4, 5, 6 I, II, III, IV, V, VI, VII, XI, 7(a), (b), 8, 9, 10, 12, 13, 14, 18.

Outline of systems

1. The import licensing system is regulated by Decree No. 00-505/P-RM of 16 October 2000 on the regulation of foreign trade and Implementing Order No. 09-788 of 7 April 2009. The licensing system is administered by the National Directorate for Trade and Competition.

Purposes and coverage of licensing

2. Trade is free with all countries and foreign trade is governed by the following two regimes:

(a) The free trade regime

Certificates of intention to import are generally issued automatically for all products, except under the prohibition regime.

Importation is free for all products with the exception of those appearing in the list of prohibited products. Quotas are no longer applied to either value or quantity. The import document, known as the "certificate of intention to import", is issued automatically.

(b) Prohibition regime

There are two forms of prohibition:

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

- Absolute prohibition; and
 - restrictive prohibition.
- (i) Absolute prohibition concerns:
- Narcotic drugs and psychotropic substances;
 - potassium bromate not intended for laboratory use;
 - all food products containing potassium bromate;
 - bovine meat and bovine meat products;
 - meat, blood or bone meal for animal feed;
 - live bovine animals and bovine ova and embryos;
 - unregistered pesticides;
 - oil and equipment containing polychlorobiphenyls (PCBs);
 - hazardous chemical substances: aldrin, dieldrin, endrin, heptachlor, chlordane, hexachlorobenzene, mirex, toxaphene, polychlorobiphenyls (PCBs);
 - natural or manufactured foreign products carrying a trade mark, brand name, sign or indication of any kind such as might suggest that they were manufactured in Mali or were of Malian origin, either directly on the product itself or on packaging, crates, packs, envelopes, tape or labels, etc.;
 - food and medicinal products for human and veterinary use that are past their use-by date;
 - alcoholic beverages in plastic sachets.
- (ii) Restrictive prohibition concerns:
- Medicinal products for human use: authorization from the Ministry of Health;
 - medicinal products for veterinary use: joint authorization from the Ministry of Health and the Ministry of Livestock;
 - potassium bromate for laboratory use: authorization from the Ministry of Health;
 - meat other than that of bovine animals and game: permit or health certificate from the country of origin;
 - food additives: list to be drawn up by the Ministry of Health;
 - non-iodized salt not intended for human consumption: authorization from the Ministry of Trade;
 - cigarettes, tobacco and matches: authorization from the Ministry of Trade;
 - transit of cattle and importation of live animals other than bovine animals: presentation of an animal health certificate;
 - reproductive seeds: registration in the official national catalogue of the importing country and presentation of an animal health certificate;
 - plants: presentation of a permit or phytosanitary certificate of origin;
 - plant seeds: presentation of a permit or certificate of origin;
 - motor vehicles with a GVW of 3.5 tonnes or more: authorization from the relevant departments of the Ministry of Transport;
 - arms and ammunition: authorization from the security services;
 - explosives: authorization from the security services and the relevant departments of the Ministry of Mines;
 - products that deplete the ozone layer: list to be drawn up by the Ministry of the Environment;
 - dichlorodiphenyltrichloroethane (DDT): authorization from the relevant environmental services; and
 - cyanide: authorization from the Ministry of Mines or the Ministry of Health.

3. The system applies to goods originating in and coming from all countries.
4. Import licensing is used for statistical purposes. Non-automatic import licensing is used to administer restrictions on the import of products that are subject to restrictive prohibition under Order No. 01-2699 of 16 October 2001 establishing the list of prohibited imports and exports.
- 5.(i) The licensing system is not a statutory requirement.
- (ii) Yes, the Government may suspend or even abolish the system without legislative approval.
- (iii) Decree No. 00-505/P-RM of 16 October 2000 on the regulation of foreign trade and Implementing Order No. 09-788 of 7 April 2009 have been published in the Official Journal of Mali.

Procedures

- 6.I. There are no import quotas. The formalities for filing applications for licences (certificates of intention to import) are set forth in the instruments mentioned in point 5(iii) above and in Mali's Trade Code. There are no exemptions from these formalities.
 - II. There are no quotas.
 - III. Licences (certificates of intention to import) are issued to all importers regardless of whether they are producers of like goods. As there are no quotas, importers are free to use their certificates of intention to import as they wish. The certificates are issued individually. The list of certificate holders is not published in the Official Journal.
 - IV. There are no quotas; certificates of intention to import are issued automatically.
 - V. Certificates of intention to import are issued automatically within 24 hours of the application being filed.
 - VI. There is no minimum length of time for certificates of intention to import. Once granted, they may be applied immediately.
 - VII. Applications for certificates of intention to import are registered by the National Directorate for Trade and Competition (Single Window for Foreign Trade).
 - VIII. The demand for import licences is fully satisfied. Applications are examined upon receipt on a first-come, first-served basis, provided that all of the necessary conditions are met.
 - IX. Not applicable.
 - X. Not applicable.
 - XI. Yes, and in the case of products manufactured by free enterprises.
- 7.(a) There is no time-limit for the submission of applications for certificates of intention to import. However, the certificate must be established by the importer before the goods are shipped, for inspection reasons.

- (b) In all cases, certificates of intention to import are issued automatically provided that the importer meets the necessary conditions and the products do not fall under the prohibition regime.
- (c) There is no particular period of the year for the submission of applications for import documents. Applications for certificates of intention to import may be submitted at any time during the year.
- (d) Importers may also approach the central Directorate of Trade and Competition (Single Window for Foreign Trade) or its regional representations.

8. The reasons for refusal are directly stated on the application filed by the applicant. In the event of refusal, the applicant is free to appeal the decision before any competent body, notably the Court of Trade.

Eligibility of importers to apply for licence

9. Only approved natural or legal persons (i.e. those meeting the requirements under current regulations in this area, namely registration in the Trade and Personal Property Credit Register and possession of a valid import-export trading licence and a tax identification number) are authorized to engage in import operations.

Documentational and other requirements for application for licence

10. A sample application form is available from the Single Window and from regional representations. Applicants must attach a pro-forma invoice to their application.

11. The documents required upon actual importation are:

- Certificate of intention to import;
- declaration for home use;
- definitive invoices or bill of lading/airway bill;
- pre-shipment inspection certificate from the inspection company in cases where the f.o.b. value of the goods is CFAF 3 million or more.

12. The importer pays 0.75 per cent of the f.o.b. value as a contribution to the Import Inspection Programme.

13. No deposit or advance payment is required for the issue of a certificate of intention to import.

Conditions of licensing

14. The period of validity of a certificate of intention to import is 12 months from the date on which it is registered with the National Directorate for Trade and Competition. It may be extended for six extra months at the importer's request. All extension requests must be submitted to the National Directorate for Trade and Competition before the expiry of the original period of validity. The certificate of intention to import may only be extended once. A special extension of a maximum period of one month may be granted to allow for financial transfers to suppliers.

15. There is no penalty for the non-utilization of the certificate of intention to import or a portion thereof.
16. Certificates of intention to import are personal and cannot be transferred.
17. No particular conditions are attached to the issue of a certificate of intention to import.

Other procedural requirements

18. No other administrative procedures are required prior to importation after obtaining the licence.
 19. All import transactions must be domiciled with an authorized bank which is responsible for the transfer of the required foreign exchange.
-