

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

**NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT
ON IMPORT LICENSING PROCEDURES**

MAURITIUS

The following notification, dated 2 November 1995, has been received from the Permanent Mission of Mauritius.

Outline of System

1. The Ministry of Trade and Shipping (M.T.S.) exercises control on imports of certain goods. An import permit (licence) is required from the M.T.S. prior to the shipment of goods. Importers need also an authorization from the M.T.S. before Customs clearance.

Purposes and Coverage of Licensing

2. Lists of controlled goods and dangerous chemicals which are subject to an import permit from the M.T.S. are at Annexes A and B¹ respectively.

3. Import permits are issued irrespective of the countries of origin of the controlled goods and dangerous chemicals.

4. (a) A licensing system is set up at the M.T.S. for the following purposes:

- (i) to collaborate with other agencies in controlling imports;
- (ii) to impose specific conditions on the importation of certain goods;
- (iii) to restrict the quantity of imports of a few items;
- (iv) to prohibit the importation of certain goods; and
- (v) to protect the interests of the consumers.

(b) No alternative method has so far been considered for accomplishing these purposes.

¹English only.

5. (a) An import permit is statutorily required under the Supplies (Control of Imports) Regulations 1991 (Government Notice No. 106 of 1991) made by the Minister under Section 5 of the Supplies Control Act 1974 (Act No. 20 of 1974).

(b) The above legislation does not provide for the designation of products to be subjected to licensing to administrative discretion.

(c) The Regulations may be repealed without legislative approval. However, the power conferred on the Minister under Section 5 of the above-mentioned Act cannot be nullified unless legislative approval is obtained.

Procedures

6. I. (a) The information with regard to quantitative restrictions on a product is communicated to the traditional importers through the media.

(b) The above information is communicated locally.

(c) No publication is given to the quantum of the quota.

(d) Goods under quota can be imported from any country.

(e) The quota is distributed equally among applicants. An importer is aware of his entitlement after approval of his application.

II. (a) The size of quotas is determined on a yearly basis.

(b) Import permits are issued for imports on a yearly basis.

III. (a) All applicants are entitled to import permits for certain goods whether they are domestic producers of like goods or not.

(b) The issue and utilization of import permits are closely monitored.

(c) Unused allocations of quotas are not carried forward for a succeeding period.

(d) The list of quota holders is kept confidential with a view to preventing speculations of quotas which may result in a monopoly of the products viz: table salt, coconut oil on the local market.

IV. The period of time allowed for the submission of applications for import permits is 15 days.

V. The minimum and maximum lengths of time for processing applications for goods under quota are one week and one month respectively.

VI. Goods can be imported within 12 months from the date of issue of the import permit.

VII. The M.T.S. is the sole authority responsible for the administration of quotas and issue of import permits.

VIII. (a) Applications are considered on a first-come, first-served basis.

- (b) The total quota is equally shared among the applicants.
- (c) The total quota cannot be exceeded for the purpose of accommodating new importers.
- (d) Applications are examined on receipt.

IX. The local importer is not required to apply for an import permit in the case of bilateral quotas or export restraint arrangements.¹

X. The export performances of applicants are not utilized by the M.T.S. for the purpose of issuing import permits.

XI. All controlled goods which are imported for re-export are subject to a condition that in no circumstances should the goods be placed on the local market.

7. (a) (i) For goods which are not subject to quantitative restrictions, the application may be submitted at any time prior to shipment from the exporting country. The import permit is issued within 48 hours.
- (ii) For goods which are not subject to quantitative restrictions but need the authorization of another controlling agency, the application may be submitted at any time prior to shipment from the exporting country. The import permit is issued on the basis of the recommendation from the appropriate controlling agency. The minimum and maximum lengths of time for the issue of the permit are one week and one month respectively.
- (iii) A retrospective import permit is issued within a shorter time for goods already imported for the first time by inadvertency.
- (b) An import permit can be granted immediately on request under exceptional circumstances for certain goods such as life-saving drugs, raw materials, equipment, tools and spare parts for industrial use.
- (c) Controlled goods can be imported throughout the year once they are covered by valid import permits.
- (d) The Ministry of Trade and Shipping is the authority concerned with the issue of import permits. However, other organs need to be consulted prior to the issue of import permits, e.g. the Mauritius Standards Bureau (M.S.B.) is consulted before an import permit is issued for goods (such as electric showers, motorcycle helmets, fireworks) which should comply with specific standards. For pharmaceutical products, the importer has to approach the Pharmacy Board before applying for an import permit.
8. (a) The Minister is empowered under Section 5 of the Supplies Control Act to refuse, cancel or suspend any permit issued under the Act.

¹However, Mauritius has not been engaged in any such bilateral quota or export restraint arrangement in respect of its imports.

(b) An application is refused if the importer intends to import a prohibited item. The reason for the refusal of the import permit is given to the importer on enquiry.

Eligibility of Importers to Apply for Licence

9. (a) Only traditional importers are eligible to apply for permits in respect of goods which are under a restrictive licensing system.

(b) Any person or firm is eligible to apply for an import permit in respect of goods which are under a non-restrictive system.

(c) There is no system whereby importers should register themselves.

Documentational and Other Requirements for Application for Licence

10 & 11. (a) A sample of the application for import permits is at Annex C.¹

(b) Importers may be required to submit documents such as: Trading Licence, Pro-forma Invoice, Bill of Lading, National Identity Card, Certificate of Incorporation of firm, evidence of past imports, etc. which could be indispensable as the case may be for the issue of an import permit.

12. No fee is charged by the M.T.S. for the issue of an import permit.

13. No deposit or advance payment is claimed for the issue of an import permit by the M.T.S.

Conditions of Licensing

14. (a) The period of validity of an import permit is 12 months.

(b) The period of validity of an import permit cannot be extended beyond 12 months.

15. There is no penalty for the non-utilization of a permit.

16. Import permits are not transferable between importers.

17. Certain conditions are attached to the issue of import permits for certain goods which may not be subject to quantitative restrictions. A list of the conditions is at Annex C.

Other Procedural Requirements

18. Apart from applying for an import permit, importers of certain products need to abide by rules and regulations of other authorities concerned (such as the Ministry of Health, the Ministry of Agriculture, the Ministry of Fisheries, etc.) prior to importation.

19. Foreign exchange control has been liberalized. However, a bank cannot effect payment in foreign currency in respect of controlled goods except on production of the original import permit.

¹English only.

ANNEX A

FIRST SCHEDULE

(Regulation 2)

List of Controlled Goods

C.T.N.	Description
03.05	- Salted fish
04.01	- Milk (fresh/liquid)
07.01	- Potatoes (in all forms) including seed
0703.10	- Onions and shallots
0703.20	- Garlic
0708.20	- Beans
0708.90	- Other broad beans
0802	- Groundnut
0805.10	- Oranges
0805.20	- Tangerines, mandarines
0805.30	- Lemons and limes
0805.40	- Grapefruit
0904 to 0910	- Spices
10.05)	
1103.13)	- Maize in all forms
1102.20)	
10.06	- Rice
11.01	- Wheat or meslin flour
12.11	- Plants and parts of plants (including seeds and fruits), of a kind used primarily in pharmacy, fresh or dried, whether or not cut, crushed or powdered
15.07	- Soya bean oil and its fractions, whether or not refined, but not chemically modified
15.11	- Palm oil and its fractions, whether or not refined, but not chemically modified
15.12	- Sunflower seed, safflower or cotton seed oil and their fractions, whether or not refined, but not chemically modified
1513.11)	
1513.19)	- Coconut oil (copra) and its fractions, whether or not refined, but not chemically modified

C.T.N.	Description
15.14	- Rape, colza or mustard oil and their fractions whether or not refined but not chemically modified
1515.21	- Maize (corn) oil and its fractions (crude)
1515.29	- Maize (corn) oil and its fractions (other)
15.16	- Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterfied, re-esterified or elaidonized, whether or not refined, but not further prepared
15.17	- Margarine edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of Chapter 15, other than edible fats or oils or their fractions of Heading No. 15.16
15.18	- Animal or vegetable fats and oils and their fractions boiled, oxidized, dehydrated, sulphurized, blown, polymerized by heat in vacuum or in inert gas or otherwise chemically modified
17.02	- Artificial sweeteners
1901.10)	
1905.401)	- Infant formulas
04.01)	
21.06	- Nutrient supplements
21.06	- Dietary foods
2106.902	- Bakery additives
2402.20	- Cigarettes containing tobacco
25.01	- Salt
2523.21)	
2523.29)	- Portland cement
27.09	- Petroleum oils and oils obtained from bituminous minerals other than crude
27.10	- Petroleum oils and oils obtained from bituminous minerals other than crude
2916.1	- Acrylic acid
Chapter 30)	- Pharmaceutical products
)	- Ayurvedic and other traditional medicines
3006.20)	
3006.30)	- Diagnostic materials of biological origin
38.22)	
3604.10	- Fireworks (including fireworks commonly known as "petards")

C.T.N.	Description
38.08	- Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant growth regulators, disinfectants and similar products, put up in forms or packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles and fly-paper)
3917.23	- PVC pipes
39.26	- Plastic feeding bottles
3926.909) 4014.90)	- Teats and soothers
6506.101	- Motor-cyclists' helmets (crash helmets)
71.08	- Gold (including gold plated with platinum) unwrought or in semi-manufactured forms, or in powder form
7112.10	- Waste and scrap of gold including metal clad with gold but excluding sweepings containing other precious metals
Falling under Chapter 72	- Corrugated iron sheets excluding of a type commonly known as "Tole Canadien"
8417.20) 8438.10) 85.14)	- Bakery and pastry equipment
84.23	- Weighing machinery
8516.10	- Electric water heaters and immersion heaters and parts thereof
87.02	- Public transport type, passenger motor vehicles, bus
8706.001	- Bus chassis fitted with engines
89.01	- Cruise ships, excursion boats, ferry-boats, cargo ships, barges and similar vessels for the transport of persons or goods
89.02	- Fishing vessels, factory ships and other vessels for processing or preserving fishery products
89.04	- Tugs and pusher craft
90.17	- Instruments for measuring length, for use in the hand (for example measuring rods and tapes)
9018.31	- Syringes with or without needles
9018.39	- Sutures and ligatures
9603.10	- Brooms
Falling under the following Chapters: 13, 21, 28, 32, 33, 35, and 38)	- Food additives (preservatives, colouring substance, flavouring substance, flavour enhancers)

C.T.N.	Description
	<ul style="list-style-type: none">- Second-hand (used/reconditioned) motor vehicles- Second-hand motor vehicle parts and accessories- Other used, scrapped and second-hand goods

ANNEX B

FIFTH SCHEDULE

(Regulation 2)

List of Dangerous Chemicals

H.S. Code		Description of dangerous chemicals
2912.12	-	Acetaldehyde
2924.29	-	Acetaminophen
2926.90	-	Acetonitrile
2912.19	-	Acrolein
2915.24	-	Acetin Anhydride
2915.96	-	Acetyl Chloride
2926.10	-	Acrylonitrile
2814.10	-	Ammonia
2922.29	-	4-Amino Diphenyl
2921.41	-	Aminobenzene
2927.00	-	Aminoazotoluene
2921.41	-	Aniline
2811.29	-	Arsenic
2524.00	-	Asbestos
2925.10	-	Auramine
2617.10	)	Antimony
8110.00)	
2902.02	-	Benzene
2902.90	-	Benzo Anthracene
2902.90	-	Benzo Fluoranthene
2902.90	-	Benzopyrene
2921.59	-	Benzidine
2916.31	-	Benzoic Acid
2903.59	-	Benzotrichloride
2617.90	)	Beryllium
8112.11)	
8112.19)	

H.S. Code		Description of dangerous chemicals
2932	-	Beta-Propiolactone
2903.51	-	BHC-ALPHA, Gamma, Beta, Deta
2909.19	-	Bis (2 Chloromethyl) Ether
2909.19	-	Bis (Chloromethyl) Ether
917.34	-	Bis (2 Ethylihexy) Phthalate
2903.40	-	Bromodichloromethane
2903.30	-	Bromoform
2903.30	-	Bromethane
2914.50	-	2-Butanone
8107.00	-	Cadmium
2933.59	-	Carbon Disulfide
2903.14	-	Carbon Tetrachloride
2903.61	-	Chlorobenzene
2903.69	-	Chloroditromomethane
2903.13	-	Chloroform
2903.11	-	Chloromethane
2904.90	-	Chloropicrin
2903.59	-	Chlordane
2610.00	)	Chromium
8112.20)	
2902.90	-	Chrysene
2603.00	)	Copper
Chapter 74	)	Crocidolite
2851.00	-	Cyanamide
2927.00	-	Diazomethane
2903.40	-	1, 2 - Dibromo-3-Chloropropane (DBCP)
2910.90	-	1, 2, 3, 4 - Diepoxy Butane
2902.90	-	Dibenzo (a) (h) Anthracene
2903.61	-	1, 4 - Dichlorobenzene
2910.90	-	Dieldrinaldrin
2903.19	-	1, 1 Dichloroethene
2903.15	-	1, 2 Dicloroethane
2908.90	-	2, 4 Dintirophenol
2903.40	-	Dichlorodifluoromethane

H.S. Code		Description of dangerous chemicals
2917.34	)	Diethyl Phthalate
	)	(Diethyl Sulfate)
	)	(Dimethyl Sulfate)
2903.61	-	1, 2, 2 Dichlorobenzene
2908.10	-	2, 4 Dimethylphenol
2932.90	-	1, 4 Dioxane
2917.34	-	Dimethyl Phthalate
2922.19	-	4-Dimethyylamino Benzene
2908.19	-	Dimethylnitrosamine
2903.10	-	4, 6 Dinitro 2-Methylphenol
2908.61	-	1, 3 Dichlorobenzene
2921.59	-	3, 3 Dichlorobenzidine
2903.15	-	1, 2 Dichloroethane
2904.20	-	2, 4 Dinitortoluene-2,4-Diaminotoluene
2903.15	-	1. 1. Dichloroethane
2917.31	-	Di-N-Butyl Phthalate
2928.00	-	1-1, Dimethyl Hydrazine
2928.00	-	122-Diphenylhydrazine
2904.20	-	2, 6 Dinitrotoluene
2908.10	-	2, 4 Dichlorophenol
2910.30	-	Epchlorohydrin
2902.60	-	Ethylbenzene
2904.10	-	Ethylmethyl sulfonate
2903.30	-	Ethylene Dibromide
2930.90	-	Ethylene Thiourea
2902.90	-	Fluoranthene
2912.11	-	Formaldehyde
2903.40	-	Fluorotrichloromethane
2910.90	-	Gudrin Aldehyde Endrin
2910.90	-	Heptachlor Heptachlor Epoxide
2903.62	-	Hexachlorobenzene
2931.00	-	Hexachlorobutadiene
2811.19	-	Hydrogen Sulfide
2903.19	-	Hexachloroethane

H.S. Code		Description of dangerous chemicals
2806.10	-	Hydrogen Chloride
2825.10	-	Hydrazine
2902.90	-	Undenol (1, 2, 3-cd) Pyrene
2914.29	-	Isophorone
2607.00	)	Lead
Chapter 78)	
3204	-	Magenta
2805.40	-	Mercury
2916	-	Methacrylic Acid
2909.60	-	Methyl Ethyl Ketone
2903.30	-	Methyl Bromide
2903.12	-	Methylene Chloride
2909.19	-	Methyl Chloromethyl Ether
2924.10	-	Methyl Nitrosourea
2921.59	-	Methylene Bis-O-Chloraniline
2905.50	-	Methyl Methane Sulphonate
2902.90	-	Naphtalene
2941.29	-	Naphthylamine (Alpha, Beta)
2604.00	)	Nickel
Chapter 75)	
2903.19	-	N-Nutyl Chloride
2904.20	-	Nitrobenzene
2904.20	-	4-Nitrodiphenyl
2908.90	-	2 Nitrophenol
2921.19	-	N-Nitrosodimethylamine
2921.19	-	N-Nitrosodi-n-Propylamine
2921.19	-	N-Nitrosodiphenylamine
2921.59	-	N-N-Diacetylbenzidine
2910.90	-	Oxirane
2902.90	-	Polychlorinate Biphenyls (PCB) 1260, 54, 48, 42, 32, 21, 1016
2902.90	)	Polybrominated Biphenyls
	)	Polychlorinated Triphenyls
2908.10	-	P-Chloro-N-Cresol

H.S. Code		Description of dangerous chemicals
2924.29	-	P-Chloroaniline
2932.90	-	P-Dioxin
2921.51	-	P-Phenylenediamine
2908.16	-	Pentachlorophenol
2914.41	-	2-Pentanone, 4-Methyl
2902.90	-	Phenanthrene
2907.11	-	Phenol
2907.19	-	Phenol, 2-Methyl
2930.90	-	1, 3 Propane Sultone
2904.20	-	2-Nitropropane
2925.20	-	Propylenimine
2505.10	)	Quarts
2506)	
2804.90	-	Selenium
2616.90	)	Silver
7106)	
2902.50	-	Styrene
2903.19	-	1. 1. 2. 2 Tetrachloroethane
2903.19	-	Tetrachloroethene
8112.91	)	Thallium
8112.99)	
2930.90	-	Thioacetamide
2930.90	-	Thiourea Tremolite
2903.69	-	1, 2, 4 Trichlorobenzene
2903.15	-	122 - Trans Dichloroethane
2903.19	-	1. 1. 1 - Trichloroethane
2903.19	-	1, 1, 2 - Trichloroethene
2903.22	-	Trichloroethene
2933.39	-	Trichloroacetic Acid 2908.10 2, 4, 6 Trichlorophenol
2919.60	-	Tris (2, 3 - Dibromopropyl) Phosphate
2902.30	-	Toluene
2921.43	-	O - Toluidine
2902	-	Total Xylenes Toxaphene

H.S. Code		Description of dangerous chemicals
2924.16	-	Urethane
2903.62	-	U, U - DDE, DDT, DDD
2903.62	-	Vinyl Chloride
2902.10	-	Polyvinyl Chloride
2902.19	-	4 - Vinyl Cyclohexene
Chapter 79	-	Zinc
27.10	)	Cutting oils - Cutting fluids
34.03)	
2939.29	-	Hydroquinine

ANNEX C

THIRD SCHEDULE

(Regulation 4)

IMPORT PERMIT

I. Application

I/We*

of+

hereby apply for a permit to import into Mauritius the goods described below. I/we undertake to observe the conditions under which this permit is issued.

Date.
Signature of Applicant

II. Description of goods

Quantity	Unit of Quantity	Full description of goods	Customs Tariff No.

Purpose of Importation.
(i.e. what will the goods be used for)

Country of Origin.

Country from which consigned.

Date of Shipment (approximate) + +

III. Description of Currency

CIF Value in foreign currency (in figures and words)

CIF Value per unit in foreign currency.

Rate of exchange.

CIF Value in Rupees. CIF Value in Rupees per Unit.

Details of exchange contracts¶.

Bank from which currency is to be purchased.

Name and address of beneficiary.

IV. Approval - (for official use only)

Import authorized under Import Permit Ref.

Validity of Permit.

Conditions of Approval (see also part V).

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Date.
Permanent Secretary

*Insert full name of applicant - person or firm (Block Capitals)

+ Insert full Postal business address of applicant (Block Capitals)

**Unit of quantity to be the same as the one used for Customs Bill of Entry. The weight and volume (as appropriate) should be indicated

+ + Specify date.

¶Bank draft, Letter of Credit, Air Mail Transfer, Money Order, Draft against Documents, Telegraphic Transfer, Postal Order.

SIXTH SCHEDULE - Continued

V. Instructions to importers

1. The application for an import permit which is to be submitted in triplicate, must be accompanied by the relative invoice or accounts sale if the mode of payment is NOT by Letter of Credit, Documentary Credit or Draft against Documents.
2. This permit is issued subject to the conditions that:
 - (a) Two copies of the invoice of the goods imported and a copy of airway bill/bill of Lading be produced to the Imports Section of the Ministry before removal from Customs*.
 - (b) All goods covered by this permit be shipped on or before the expiry date of the permit.
3. The issue of an import permit does not relieve the applicant from the obligation to comply with any enactment in force in Mauritius relating to the importation of the goods covered by this import permit.
4. Importers are reminded that goods imported in contravention of the Supplies Control Act or regulations made under it may be liable to forfeiture.

*A Customs provisional Bill of Entry of the goods imported may be produced in place of the two copies of the invoice provided that these two copies are submitted to the Imports Section as soon as they are available.

FOURTH SCHEDULE

(Regulation 4)

(Conditions Under Which the Goods Should be Imported)

Description of controlled goods	Condition under which the goods should be imported
Rice (imported by traders other than State Trading Corporation)	Should not exceed 10 per cent broken rice.
Aerosol insecticides	Should not contain C.F.C. (Chloro Flouride Carbon) as propellant.
Weighing and measuring instruments not for trade use	Each and every instrument should be clearly and indelibly marked "Not for trade use".
Food additives (preservatives, colouring substance, flavouring substance, flavour enhancer)	Excluding egg yellow in powdered form.
Second-hand (used/reconditioned motor vehicles as follows:	
(a) Motor car	(i) The motor car should: Be less than five years old at the time of shipment; (ii) be consigned to the applicant whose name shall appear on the Bill of Lading and the manifest as the consignee; (iii) be registered with the National Transport Authority in the name of the importer; (iv) be a right-hand drive; (v) be in good running condition and not damaged; (vi) have its original chassis.

Description of controlled goods	Condition under which the goods should be imported
(b) Van	<p>The van should:</p> <ul style="list-style-type: none"> (i) Be less than five years old at the time of shipment; (ii) be consigned to the applicant whose name shall appear on the Bill of Lading and the manifest as the consignee; (iii) be registered with the National Transport Authority in the name of the importer as a goods vehicle only; (iv) be a right-hand drive; (v) be in good running condition and not damaged; (vi) have its original chassis.
(c) Lorry/truck	<p>The lorry/truck should:</p> <ul style="list-style-type: none"> (i) Be less than eight years old at the time of shipment; (ii) be consigned to the applicant whose name shall appear on the Bill of Lading and the manifest as the consignee; (iii) be covered by a Test Certificate issued by a recognized body in the exporting country and which is valid at the time of shipment; (iv) be registered with the National Transport Authority in the name of the importer; (v) be a right-hand drive (vi) have its original chassis.
(d) Motor cycle	<p>The motor cycle should be less than one year old at the time of shipment.</p>
Second-hand motor vehicle parts and accessories	<p>Excluding prohibited second-hand motor vehicle parts and accessories as specified in the Second Schedule.</p>

Description of controlled goods	Condition under which the goods should be imported
Controlled goods imported for re-export	(a) Should be re-exported Ex-Bonded Warehouse and not sold on the local market in any circumstances.
(b) no permission to sell on the local market will be granted in any circumstances.	
Motor cyclists' helmets (crash helmets)	Each helmet should be indelibly and clearly marked with the certification mark issued either by the National Bureau of Standards or by a recognized Standards Institution in the country of origin.
Bakery additives	Shall not contain Potassium Bromate as an ingredient.
Cigarettes containing tobacco	Each and every packet of cigarettes shall bear the warning clause "smoking causes cancer. heart disease and bronchitis".
Hydrogenated oils and fats imported under CTN 15.16	Shall not contain more than 75 per cent saturated fatty acids.
Margarine rich in polyunsaturates imported under CTN 15.17	Shall not contain less than 45 per cent of polyunsaturates fats and not more than 20 per cent of saturated fats.
Other margarine imported under CTN 15.17	The product shall contain: (a) Not more than 60 per cent saturated fats; and (b) not more than 25 per cent of palm oil.
Edible mixtures or preparations of animal or vegetable fats or oil or of fractions of different fats or oil imported under CTN 15.17 and 15.18	The product shall contain: (a) Not more than 23 per cent of saturated fatty acids; and (b) not more than 25 per cent of palm oil.
Measuring tapes	At least 50 per cent of each and every consignment of measuring tapes shall be graduated in metric only.
PVC pipes	Shall comply with MS 5 and MS 6
Brooms	Excluding straw broom and brooms wholly or partially made of vegetative material like "fataque".
Corrugated iron sheets excluding of a type commonly known as "Tole Canadien"	The thickness of each sheet should not be less than 0.65mm.