

# WORLD TRADE ORGANIZATION

RESTRICTED

**G/LIC/N/3/TTO/1**

16 February 1996

(96-0621)

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**Committee on Import Licensing**

Original: English

## **REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES**

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

#### **TRINIDAD AND TOBAGO**

The following notification, dated 17 January 1996, has been received from the Permanent Mission of the Republic of Trinidad and Tobago.

#### **Outline of System**

1. Two systems in operation:
  - Import Licensing System
    - Applications are considered and licences issued for goods appearing on the Import Negative List making it possible for such goods to enter into Trinidad and Tobago.
  - Minister's Licence or Duty Relief System
    - Manufacturers are granted concessions by the Government under (a) the Fiscal Incentive Act, and (b) Section 56 of the Customs Act. These manufacturers are issued Duty Relief Licences on raw material inputs, and intermediate goods for use in approved industry.

#### **Purposes and Coverage of Licensing**

##### 2. Import Licensing System

###### Grouping

Livestock

Meats

###### Products

Live poultry (rearing or breeding, live poultry other than rearing or breeding)

Chicken parts  
Turkey parts  
Duck parts

Fish, crustaceans, molluscs	Fresh, chilled, frozen Fish Shrimp Lobster Crabmeat
Sugar	Cane sugar
Oils and fats	Coconuts in all forms including coconut seedlings, copra, desiccated coconut, coconut milk, coconut cream, but excluding coconut oil  Oilseed cake, meal, vegetable oil residues Copra Oil seeds, beans, nuts Animal oils, fats, greases, unrefined vegetable fats
Motor vehicles	(i) Left-hand drive, except those allowed under Section 45(2) of the Customs Act Chapter 78:01 (ii) Used right-hand drive vehicles
Paper and paper products	Paper for wrapping tobacco or cigarettes
Misc. manufactured products	Ships and boats (under 250 tonnes)

3. The Import Licensing System applies to goods originating in and coming from all extra-regional (outside Caricom) countries. The system also applies to the grouping "Oils and Fats" of Caricom origin.

4. The licensing regime is intended to monitor the quantity of imports of those goods which are manufactured locally.

Alternative methods have been introduced in some cases; in 1992 several manufactured items were deleted from the Import Negative List and higher tariffs (surcharges) introduced. These surcharges were gradually phased out over a three-year period.

5. Licensing is maintained under:

#### Import

- (Section 10) Trade ordinance No. 19 of 1958
- Imports and Exports Control Regulations 1941

#### Minister's Licence or Duty Relief System

- Legal Notice No. 235 dated 30 December 1994 under Section 56 of the Customs Act Chapter 78:01
- (Section 10) Fiscal Incentive Act Chapter 85:01
  - The licensing is statutorily required
  - The legislation leaves designation of products to be subjected to licensing to administrative discretion
  - It is not possible for the Government (or the Executive Branch) to abolish the system without legislative approval

## **Procedures**

6. Products under restriction as to quantity or value of imports etc.:

I. Information is not published. Any information on quota allocation is given to the individual importer. Information on formalities of filing applications for licences (and on quotas) is disseminated by Trade Officers and Information Clerks of the Ministry of Trade and Industry.

II. Size of quota is determined on a yearly basis.

At present, quotas only apply to the category under livestock and quantities determined by the Ministry of Agriculture, Land and Marine Resources.

Because of the nature of the item licences are granted on a monthly basis.

III. Usually licences are not allotted to domestic producers of like goods. Quotas are issued for a specific period, and licences issued accordingly. Unused allocations are added to quotas for a succeeding period. Any request for information of the names of importers are referred to the Trinidad and Tobago Chamber of Industry and Commerce.

V. Minimum length of time for processing application - one day.

Maximum length of time two to three weeks depending on the need for referral for views and recommendations of other agencies.

VI. Importers can import immediately upon being granted a licence.

VII. Consideration of licence applications are not always effected by a single administrative organ. Depending on the item other Government Agencies may have to be approached for views/recommendations. The approach to the different Agencies is usually done by the Administrative Organ receiving the applications.

VIII. If the demand for licences cannot be fully satisfied, allocations to applicants are made on the basis of past performance.

A ratio system is used to determine amounts.

A small percentage of the allocation is reserved for new applicants.

Once guidelines are in place, applications are examined on receipt.

IX. Not in all cases.

X. Not applicable.

XI. No - licences are not granted on condition that the goods be exported and not sold in the domestic market.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country:

In accordance with the Imports and Exports Regulations 1941, an import licence must first be obtained before any order is placed with the supplier for the purchase of the goods.

- (a) However goods arriving without a licence are given consideration and once the application is approved, a licence can be obtained within the shortest possible time.
- (b) Yes - where an applicant satisfies the criteria, a licence can be granted immediately on request, that is within a few hours.
- (c) There are no limitations as to period of the year during which applications for licences may be made.
- (d) In most instances, consideration of licence applications is affected by a single administrative organ. In some cases, however, the views of other organs must be obtained.
8. Licences can be refused if the policy at the time does not allow or if the quota has been exhausted.

Reason(s) for refusal are given to applicant.

In cases where a licence is refused, the applicant can appeal against the decision in writing, to the Chief Trade Officer or the Permanent Secretary.

**Eligibility of Importers to Apply for Licence**

9. (a) No.
- (b) No.

The eligibility of an individual firm or institution to apply for an import licence is dependent upon the imported item under consideration. Relevant information on the importers can be obtained from the Trinidad and Tobago Chamber of Industry and Commerce.

**Documentational and Other Requirements for Application for Licence**

10. Information required on applications as per attached sample form.

Documents importer is required to supply with application:

- Board of Inland Revenue Certificate;
- Identification Card.

11. Upon actual importation documents required are:

- Invoice;
- Bill of Lading or Airway Bill;
- Certificate of Origin;
- Customs Entry;
- Import Licence, if required;
- Bill of Sight, if Invoice is not available.

12. TT\$1 worth in stamps is required for lodging an application for an Import Licence.

TT\$10 worth in stamps is required for collecting an Import Licence.

No charge is applicable to a Duty Relief Licence.

13. The only advance payment requirement associated with the issue of Import Licence is the \$1 worth of stamps for lodging (that is acceptance of the application by the staff in the Licensing Division of the Ministry). This amount is not refundable.

This requirement was an attempt at recovering some of the cost incurred in issuing Import Licences which are computerized.

**Conditions of Licensing**

14. An Import Licence is normally valid up to the end of the present calendar year.

The validity can be extended on request by submitting in writing reasons and supporting documents where available, as to why the extension is necessary.

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

16. Licences are not transferable between importers.

17. Conditions affixed to licence of quantitative restrictions:

- For Motor Vehicles which is the only grouping applicable at this time are attached at Annex A.
- For products not subject to quantitative restrictions conditions attached at Annex B.

**Other Procedural Requirements**

18. Not applicable.

19. Foreign exchange is automatically provided by the banking authority on presentation of import documents.

A licence is not required as a condition of obtaining foreign exchange.