

**NOTIFICATION OF REPLIES TO THE QUESTIONNAIRE ON IMPORT
LICENSING PROCEDURES FROM MALTA¹**

Questions from the UNITED STATES to MALTA²

The following communication, dated 25 October 2000, has been received from the Permanent Mission of the United States.

In G/LIC/N/3/MLT/2/Add.1, Malta states that there are no changes from its submission in G/LIC/N/3/MLT/2 and MLT/2/Corr.1. The response to question 8 in G/LIC/N/3/MLT/2 states "Except in cases where the importation of certain goods is prohibited, licences are not normally refused. Reasons for refusal are generally given and applicants may, if they wish, appeal to the Minister responsible for trade."

- The list of imports subject to import licensing in Malta is extensive. We seek confirmation from Malta that it provides the benefits of Article 3:5(e) of the Agreement to traders whose request for an import licence is refused, i.e., that "if a licence application is not approved, the applicant shall, on request, be given the reason therefor and shall have a right of appeal or review in accordance with the domestic legislation or procedures of the importing Member." In this regard, we note that GATT 1994 Article X:3(b) provides for the right of appeal to any independent tribunal, something not mentioned in Malta's submission.

¹ G/LIC/N/3/MLT/2/Add.1

² G/LIC/4