

of former Soviet Union, which provided significant support to agriculture. The average AMS calculated by the price gap method amounted 400 mil USD as an average for the years 1986-1988. In recognition of commitments of the WTO member countries in the line of Uruguay Round agreement Estonia would like to commit herself to bind the level of 120 mil USD as specified in supporting tables. This level of domestic support would not be exceeded from the year 1996 onwards.

For export subsidies commitment base period of 1986-1990 is shown by the same reason as the latest stable period. The average of export subsidies of these years amount to 143.6 mil USD. Estonia would like to bind herself to the level of 46 mil USD which will not be exceeded from the year 1996 onwards.

Annex 1b insert here

Annex 1c insert here

Annex 1c page 2 insert here

ESTONIA

Annex II

INFORMATION ON IMPORT LICENSING PROCEDURES

The following is designed to elicit information on import licensing and similar administrative procedures maintained or applied by the Applicant. If different procedures or methods of licensing or similar administrative procedures are applied to different categories of products, to different countries of supply or to different modes of importation, they should be separately described in respect of each question as relevant.

OUTLINE OF SYSTEMS

1. Give a brief description of each licensing system as a whole and, with respect to each, reply to the following questions as a relevant, placing all of the material with respect to a given system in sequence together, and using cross references as appropriate when elements have been described are also present in another system.

There is one licensing system in Estonia. That system has been established to guarantee that no prejudice is done to the legitimate interests of the consumers of any good and clients of any service. The Activity Licence system is also to provide statistical information about the area of activities covered by it. This system does not involve any discriminative national element; all applicants are to be considered to have equal rights and obligations stemming from the specific nature of the licence they applied for. This system does not involve any quantitative restrictive element. Any refusal to grant a licence by a relevant authority has to be based on established inadequacies of the applicant. Any applicant can refuse to accept the denial of a licence by the issuing authority and start an appropriate action up to a settlement of the issue by a court ruling.

II. PURPOSES AND COVERAGE OF LICENSING

1. Identify each licensing system maintained and state what products, appropriately grouped, are covered.

The Activity Licence is not maintained to interfere with free trade except in the cases provided for in Articles XX and XXI of GATT. The present list of fields consists of the following activities:

1. Management of aviation and sea transport (exclude small private boats), international car and railway transport (exclude intra-enterprise rail transport): Licence issued by Ministry of Transport and Communications.
2. Geology-related activities, mining of natural resources: Ministry of Economic Affairs.
3. Production and trade in objects containing precious metals and precious stones: Ministry of Finance.
4. Production, possession and trade in weapons, parts thereof, ammunition, or pyrotechnic equipment; repairs of weapons: Ministry of Internal Affairs.
5. Production and trade in medical narcotic, highly toxic, radioactive, and poisonous substances. Growing plants that contain narcotic, highly toxic and poisonous substances. Purchase and possessing of medical narcotic, highly toxic, radioactive, and poisonous substances: Ministry of Social Affairs.

6. All forms of medical treatment: Ministry of Social Affairs.
7. Production of and trade in medicines: Ministry of Social Affairs.
8. Import and export, as well as production and wholesale of tobacco and production thereof, and alcohol; and retail of alcohol: Ministry of Economic Affairs; Municipal Governments.
9. Printing and minting of money: Bank of Estonia.
10. Printing of securities: Ministry of Finance.
11. Printing of postage stamps: Ministry of Transport and Communications.
12. Building and management of public communications' networks of any kind: Ministry of Transport and Communications.
13. Management of an educational institution of a higher or general level, both vocational, or professional; together with the right to issue nation wide accepted certificates of education: Ministry of Culture and Education.
14. Management of security services' firms, installation of security, guard, and signalization systems: Ministry of Internal Affairs.
15. Opening and management of private detective agencies: Ministry of Internal Affairs.
16. Collation of measuring instruments: Ministry of Finance.
17. Production and trade in micro-organisms, plants, and animals created by genetic engineering: Ministry of Agriculture.
18. Insurance: Ministry of Finance.
19. Projecting, expertise and inspection of buildings, construction contracting activities: Ministry of Environment; Ministry of Agriculture.
20. Geodetic and cartographic activities: Ministry of Environment
21. Ecological expertise: Ministry of Transport and Communications.
22. Management of environmentally harmful substances: Ministry of Transport and Communications.
23. Transmission or broadcasting of radio and television programmes by means of the radio and television networks: Ministry of Culture and Education.
24. Management of casinos (gambling): Ministry of Finance.
25. Reproduction of the State symbols or their parts of the Republic of Estonia: State Chancellery.
26. Exchange management: Ministry of Finance.
27. Tourism: Ministry of Economic Affairs.

28. Ships' agencies and organizing sea transport: Ministry of Transport.
29. Lotteries: Ministry of Transport and Communications.
30. Assessment of land property, selling and buying land: Ministry of Agriculture.
31. Activities on the securities' market: Ministry of Finance.
32. Veterinary activities, veterinary practice: Ministry of Agriculture.
33. Temporary storage of commercial goods, customs-storage procedures: Ministry of Finance.
34. Commercial trade (imports, re-exports), wholesale and retail, and storage of imported fuels and lubricants: Ministry of Economic Affairs.
35. Production and repairs of weapons, ammunition, and technology for national defence purposes: Ministry of Defence.
36. Experiments with animals: Ministry of Agriculture.
37. Management of imports and exports, as well as other trade, services, repairs, and disassembling of motor vehicles and trailers: Ministry of Economic Affairs.
38. Assessment of personal protective equipment types, quality certification; assessment of machinery and equipment types: National Labour Inspection Board.
39. Logopedical aid: Ministry of Social Affairs.
40. Conservation, restoration, creating of repairs projects, and carrying out the corresponding activities on the objects of cultural importance (the objects of archaeological, architectural, technological, and historical value, objects of fine arts): Ministry of Culture and Education.
41. Classification of goods and measuring of goods for customs' purposes: Ministry of Finance.

2. The system applies to goods originating in and coming from which countries?

The system of Activity Licences applies to all activities licensed and does not distinguish between the country of origin; neither does this system distinguish between what is domestic and what is not domestic.

3. Is the licensing intended to restrict the quantity or value of imports, and if not, what are its purposes? Have alternative methods of accomplishing the purposes been considered and if so which? Why have they not been adopted?

The basic principle of having established the Estonian licensing system on the basis of Activity Licences is to guarantee that fair and competent competition is achieved and no harm to the environment, the society and state security as well as the people can be caused in any human field of activity. This principle cannot involve any quantitative or value-related restrictions as the sole purpose is to guarantee honest and competent commerce in any field of human activity that could possibly cause harm in the sense of Articles XX and XXI of GATT. As, under the existing conditions in Estonia, this method has proven to be the most efficient, no alternatives have been devised.

4. Cite the law, regulation and/or administrative other which the licensing is maintained. Is the licensing statutorily required? Does the legislation leave designation of products to be subjected to licensing to administrative discretion? Is it possible for the government (or the executive branch) to abolish the system without legislative approval?

So far the Activity Licence system has been regulated by various Government Decrees. The basics have been regulated by the Government Regulation No. 90 of 8 May 1990 (On Licensing the Activities of Enterprises in the Estonian SSR). Preparation of a Licensing Act in conformity with the provisions of WTO principles is to be completed by 1997. Among other issues pertaining to licensing, this law is to regulate also the issue of at whose discretion is left the designation of products to be subjected to licensing and to establish the procedures of reviewing the specific licensing arrangements.

III. PROCEDURES

1. For products under restriction as to the quantity or value of imports (whether applicable globally or to a limited number of countries or whether established bilaterally or unilaterally):

No quantitative restrictions are effective and none are envisaged. Neither shall the system have to deal with the value of imports and exports.

(a) Is information published, and where, concerning allocation of quotas and formalities of filling applications for licences? If not, how is brought to the attention of possible importers? Of governments and export promotion bodies of exporting countries and their trade representatives? Is the overall amount published? The amount allocated to goods from each country? The maximum amount allocated to each importer?

Information on the Government Decrees and laws of the Republic of Estonia is published in "Riigi Teataja" (in Estonian) and "Legal Acts of Estonia" (in English).

(b) How is the size of the quotas determined. on a yearly, six-monthly or quarterly basis? Are the cases where the size of quota is determined on a yearly basis but licences are issued for imports on a six-monthly or quarterly basis? In the latter case, is it necessary for importers to apply for fresh licence on a six-monthly or quarterly basis?

Estonia has refrained from using quotas.

(c) Are licences allotted for certain goods partly or only domestic producers of like goods? What steps are taken to ensure that licences allocated are actually used for imports? Are unused allocations added to quotas for a succeeding period? Are the names of importers to whom licences have been allocated made known to governments and export promotion bodies of exporting countries upon request? If not, for what reason? (Indicate products to which replies relate).

The Activity Licence system does not aim at prejudice to any truly commercial interest with no fraud or other malpractices involved. There are no quotas. The names of the importers can be made known to governments and international organisations upon request.

(d) From the time of announcing the opening of quotas, as indicated in I Above, what is the period of time allowed for the submission of applications for licences?

There are no quotas in use in Estonia.

(e) What are the minimum and maximum lengths of time for processing applications?

There is no import licensing in Estonia. For activity licences, if it is not set otherwise by a relevant Government Regulation, the maximum duration of the period is set on 10 days by the Government Regulation No. 90 of May 8, 1990 (On Licensing the Activities of Enterprises in the Estonian SSR). In the case of the Government Regulation No. 4 of January 1994 (The Order of Import and Export, Production and Selling of Alcohol, Tobacco and Tobacco Products) the duration is 30 days. Licensing in Estonia is to be regulated in conformity with the WTO by the new Licensing Act, due in 1997.

(f) How much time remains, at a minimum, between the granting of licences and the date of opening of the period of importation?

There are no quotas in use in Estonia.

(g) Is consideration of licence application effected by a single administrative organ? Or must the application be passed on to another organs for visa, note or approval? Is so, which? Does the importer have to approach more than one administrative organ?

It depends on the kind of a licence; in the majority of cases it is a single administrative body.

(h) If the demand for licences cannot be fully satisfied, on what basis is the allocation applicants made? First come, first served? Past performance? Is there a maximum amount to be allocated per applicant and, if so, on what basis is it determined? What provision is made for new importers? Are applications examined simultaneously or on receipt?

There are no quotas in use in Estonia.

(i) In the case of bilateral quotas or export restraint arrangements where export permits are issued by exporting countries, are import licences also required? If so, are licences issued automatically?

There are no quotas nor export restraint arrangements in use in Estonia.

(j) In cases where imports are allowed on the basis of export permits only, how is the importing country informed of the effect given by the exporting countries to the understanding between the two countries?

There are no such arrangements in Estonia.

(k) Are there products for which licences are issued on condition that goods should be exported and not sold in the domestic market?

There are no such arrangements in Estonia.

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

(a) How far in advance of importation must application for a licence be made? Can licences be obtained within a shorter time-limit or for goods arriving at the port without a licence (for example, owing in a inadvertency)?

There are no import licences in Estonia. There are fields which are covered by activity licences.

(b) Can a licence be granted immediately in request?

Activity licences are granted according to relevant Government Regulations.

(c) Are there any limitations as to the period of the year during which application for licence and/or importation may be made? If so, explain.

There are no such limitations.

(d) Is consideration of licence applications effected by a single administrative organ? Or must the application be passed on to other organs for visa, note or approval? If so, which? Does the importer have to approach more than one administrative organ?

The number of authorising bodies of an activity licence may be more than one.

3. Under what circumstances may an application for a licence be refused other than failure to meet the ordinary criteria? Are the reasons for any refusal given to the applicant? Have applicants a right of appeal in the event of refusal to issue a licence and, if so, to what bodies and under what procedure?

Under no circumstances other than failure to meet the ordinary criteria may an application for a licence be refused. The reasons for any refusal have to be given to the applicant. In the event of refusal to issue a licence applicants have a right of appeal and unless settlement is reached they may file for a court hearing.

IV. ELIGIBILITY OF IMPORTS TO APPLY FOR LICENCE

1. Are all persons, firms and institutions eligible to apply for licences:

- (a) under restrictive licensing systems?**
- (b) under non-restrictive systems?**

Natural persons not citizens of Estonia should have a work permit. Firms and institutions should be registered under Estonian laws.

If not, is there a system of registration of persons or firms to engage in importation? What persons or firms are eligible? Is there a registration fee? Is there a published list of authorised importers?

VI. DOCUMENTATION AND OTHER REQUIREMENTS FOR APPLICATION FOR LICENCE

1. What information is required in applications? Submit a sample form. What documents is the importer required to supply with the application?

There are no import licences. For any type of activity licence the requirements depend upon the features of this field of activity.

2. What documents are required upon actual importation?

Any of the shipments that require special permission upon entry can be imported with a single-time permission issued by the authority granting the activity licence.