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(21-6065)

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Committee on Import Licensing

Original: English

AGREEMENT ON IMPORT LICENSING PROCEDURES

NOTIFICATION UNDER ARTICLE 5.1 TO 5.4 OF THE AGREEMENT¹

TONGA

The following notification, dated 28 July 2021, is being circulated at the request of the delegation of Tonga.

1 OZONE LAYER PROTECTION ACT [CAP.21.07]

| | Category | Notification details |
|---|---|--|
| 1 | Notifying Member | Tonga |
| 2 | Title of new legislation/ procedure | Ozone Layer Protection Act [Cap.21.07] |
| 3 | Date of Publication | 30 August 2010 |
| 4 | Date of entry into force | 31 December 2010 |
| 5 | Website link/Official publication of the new regulation/procedure | Ozone Layer Protection Act (ago.gov.to) |
| 6 | Have you attached a copy of the regulation (PDF) to the Secretariat | <input type="checkbox"/> Yes. (Please attach a copy of the regulation to the notification.) <input checked="" type="checkbox"/> No. |
| 7 | Type of notification | <input checked="" type="checkbox"/> (a) New licensing regulation/procedure ² ; (please answer question 8 to 14) <input type="checkbox"/> (b) Changes to a regulation/procedure which has been previously notified in document: _____; (please answer question 15 and 16) |
| 8 | List of products subject to licensing | Section 7 – Any other CFCs or HBFCs (controlled substances) which has the following permits are the only exceptions to be imported into country: <ul style="list-style-type: none"> - A quarantine and pre-shipment permit in relation to methyl bromide; - Medical permit in relation to medical products using a controlled substance; - Human health or safety permit; or - A base year permit. Section 6-Gives the list on certain products which are prohibited, but it can only be imported if such products containing the controlled substances are solely used for packaging, or part of packaging of another imported goods (section 7(2)). |

¹ It is understood that the notifying Member has also completed its notification obligations under Article 1.4(a) and Article 8.2(b) regarding the relevant law/regulation/procedure notified for by filling this form in a full and complete manner.

² "New licensing regulation/procedure" is understood to refer to any newly introduced law, regulation or procedure, and those which are in force but being notified for the first time to the Committee.

| | Category | Notification details |
|----|---|--|
| 9 | Nature of licensing | Automatic: <input type="checkbox"/> Non-Automatic: <input checked="" type="checkbox"/> |
| 10 | Administrative purpose/measure being implemented | (a) <input type="checkbox"/> Protect public morals; (b) <input checked="" type="checkbox"/> Protect human, animal or plant life and health; protect environment; (c) <input type="checkbox"/> Collect trade statistics or market surveillance; (d) <input type="checkbox"/> Protection of patents, trademarks and copyrights, and the prevention of deceptive practices; (e) <input checked="" type="checkbox"/> Pursue obligations under the UN Charter and other international treaties (<i>i.e. CITES, Basel Convention, Rotterdam Convention, UNSC Resolutions etc.</i>) (f) <input checked="" type="checkbox"/> Quota (including TRQ) administration; (g) <input type="checkbox"/> Regulate imports of arms, ammunition or fissionable materials and safeguard national security; (h) <input checked="" type="checkbox"/> Other: <u>Control imports of refrigerants/controlled substances</u> |
| 11 | Administrative body(ies) for submission of applications | Ministry/authority and Department: Ministry of Meteorology, Energy, Information, Disaster Management, Environment, Climate Change and Communications and Climate Change Division. Address: 2 nd floor, O.G Sanft Building, Taufa'ahau Road, Nuku'alofa Website: https://climatechange.gov.to/ Telephone: (+676) 27767 E-Mail: paulm@mic.gov.to & aloisiofifita@gmail.com |
| 12 | Contact point for information on eligibility | Ministry/authority and Department: Ministry of Meteorology, Environment, Information, Disaster Management, Energy, Climate Change and Communications/Climate Change Division Address: 2 nd floor, O.G Sanft Building, Taufa'ahau Road, Nuku'alofa Website: https://climatechange.gov.to/ Telephone: (+676) 27767 E-Mail: paulm@mic.gov.to & aloisiofifita@gmail.com |
| 13 | Expected duration of licensing procedure | Ongoing |
| 14 | A summary of the notification in one of the WTO official languages | The Ozone Layer Protection Act sets out the legal framework by managing and controlling through a permit on certain goods, which contains controlled substances (<i>i.e. Gases</i>) that depletes the Ozone Layer. These controlled substances are identified and labelled from the relevant treaties or conventions to which Tonga is a party of, and they are therefore domestically implemented through the provisions of this national law or Act. |
| 15 | In the case of 7(b), please indicate the type of new change(s) | <p>(a) <input type="checkbox"/> Termination</p> <p>(b) <input type="checkbox"/> Suspension</p> <p>(c) <input type="checkbox"/> Modification of specific details in existing procedures:</p> <p><input type="checkbox"/> Product coverage;</p> <p><input type="checkbox"/> Administrative purpose;</p> <p><input type="checkbox"/> Automatic or Non-automatic;</p> <p><input type="checkbox"/> Duration of licensing;</p> <p><input type="checkbox"/> Change the nature of quantity/value restriction;</p> <p><input type="checkbox"/> Eligibility of applicants;</p> <p><input type="checkbox"/> Contact information on eligibility;</p> <p><input type="checkbox"/> Administrative body(ies) for submission of application;</p> <p><input type="checkbox"/> Documentation requirements (including application form);</p> <p><input type="checkbox"/> Period for Application;</p> <p><input type="checkbox"/> Administrative body(ies) to issue licence;</p> <p><input type="checkbox"/> Processing time for issuing licence;</p> <p><input type="checkbox"/> Licence fee/administrative charge;</p> <p><input type="checkbox"/> Deposit/advance payment and relevant conditions;</p> |

| | Category | Notification details |
|-----------|--|---|
| | | <input type="checkbox"/> Appeal regulations/procedures; <input type="checkbox"/> Validity of licence; <input type="checkbox"/> Other conditions of licence (extension, transferability, penalty of non-use etc.); <input type="checkbox"/> Foreign exchange requirements; <input type="checkbox"/> Other: _____ (please specify). |
| 16 | Please elaborate the changes in detail (in one of the WTO official languages) | |
