



REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹

NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES (2021)

BOTSWANA

The following notification, of which the first draft was received on 14 May 2021, is being circulated at the request of the delegation Botswana.

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1 MINISTRY OF AGRICULTURAL DEVELOPMENT AND FOOD SECURITY (DEPARTMENT OF AGRIBUSINESS PROMOTION)

Outline of system

1. The Import Permit is regulated under Control of goods, Prices and other Charges Act. Statutory Instrument No.66 of 2005, (Cap 43:08). The information is published in a number of publications including the Botswana Trade Portal website, Ministry of Agricultural Development and Food Security (MoA) and Government portals and various flyers. The information published is in terms of requirements for obtaining permits.

¹ See G/LIC/3, Annex, for the questionnaire.

Purposes and Coverage of Licensing

2. (i) Cereal for the purpose of these regulations shall include maize, sorghum, wheat and millet as well as by-products derived from processing these cereals.
 - (ii) Pulses for the purpose of these regulations shall refer to leguminous crops, such as lentils and beans.
 - (iii) Horticulture for the purpose of these regulations shall refer to fruits and vegetables.
3. The system applies to goods originating from all countries.
 4. The licensing is intended to monitor the quantity of imports. The maximum amount to be allocated depends on whether the permit is obtained for consumption or business purposes. Companies do not have a maximum quantity while individuals obtaining the permit for individual consumption are limited to a certain quantity.
 5. The Import Permit is regulated under Control of goods, Prices and other Charges Act. Statutory Instrument No.66 of 2005, (Cap 43:08) which is an Act of Parliament that can only be amended by Parliament processes. The Act specifies the products covered and is not subject to any discretion.

Procedures

6. These are not import quotas.
 - 7.a) The permit operates continuously and therefore no need to call for applications.
 - b) Yes, they are issued automatically. The permit is issued immediately on request and takes less than five (5) minutes to issue.
 - c) Import permits are issued immediately on request and does not depend on any period of the year.
 - d) Import permits are issued by the Department of Agribusiness Promotion in the Ministry of Agricultural Development and Food Security and does not need to be passed on to other organs for approval.
8. An application cannot be refused if the applicant meets the ordinary criteria. Applicants have the right to appeal using the available structures if they are not satisfied with any process of their application.

Eligibility of Importers to Apply for License

9. All persons/firms and institutions are eligible to apply for an import permit unless they meet the requirements.

Documentation and Other Requirements for Application for License

10. Personal/company details, name of exporting country, quantities and products, name of export destination, port of entry.
11. A valid import permit together with a valid Sanitary and Phytosanitary Certificate where necessary.
12. Permits are charged a fee of 150 BWP (P 150.00).
13. There are no payments required to get a permit.

Conditions of Licensing

14. Import permit is valid for a period not exceeding thirty (30) days; however, if the importer has exhausted their given quantity the permit is considered expired and can be renewed.

15. There are no penalties for not utilizing a permit.

16. Import permits are not transferable, however, with prior arrangements the importer is allowed to engage an agent/transporter.

17. The application for an import permit in respect of goods, the importation of which is restricted under any other law of Botswana, must be accompanied by a valid permit issued under the law concerned. There are no other conditions.

Other Procedural Requirements

18. There are no other administrative procedures.

19. Foreign exchange is always made available by relevant authorities.

2 MINISTRY OF AGRICULTURAL DEVELOPMENT AND FOOD SECURITY (DEPARTMENT OF ANIMAL PRODUCTION - AQUACULTURE DIVISION)

Outline of Systems

1. The Ministry of Agricultural Development and Food Security through Department of Veterinary Services is coordinating the issuance of Import permits. There are procedures outlined by the ministry with regard for issuance of animal and animal product Import permits and this include fish and fish products. The purpose of the procedure is to guide import control officer in issuance of permits in order to prevent the introduction, establishment and spread of exotic and/or trans-boundary diseases which can jeopardize the country's access to international markets.

Purposes and Coverage of Licensing

2. The system is maintained to cover products for both the aquatic and terrestrial organisms.

3. The system applies to goods (fish) originating from a myriad number of countries in Europe, Asia, Africa, North and South America.

4. The license system procedure is intended to regulate the quantity of the fish and fish products that enter into the country.

5. The import permit procedure is regulated in accordance with the Diseases of Animals Act CAP 37:01 Section 6. The system cannot be abolished without the approval of the legislative.

Procedures

6. There are no specific quotas in relation to the import of the fish and fish products into the country.

7.(a) The processing of an import permit is done on receipt of an application by importer and the process is prompt. This includes verification of fish product health status of the exporting country using WAHID (World Animal Health Information Database) and issuing a permit upon verification.

(b) The permit can be granted instantly on request. The processing is done instantly on the receipt of the application.

(c) The permit is issued throughout the year.

(d) For the importation of fish and fish products the application is done through the Department of Animal Production, which is then passed to the Department of Veterinary Services for the approval and alternatively for the issuance of the import permit.

8. If the applicant obliged to all the terms and conditions stipulated with regard to the issuance of import permit, no application would be refused.

Eligibility of Importers to Apply for License

9. All persons, firms and institutions are eligible to apply for the permit regardless of the system. Any applicant both new and old importers have the opportunity to apply for the permit. Each applicant is issued with a single permit upon verification and receipt of payment.

Documentational and Other Requirements for Application for Licence.

10. The information required is: Applicant name, Postal Address, Contact number, Quantity of the products, Name and address of consignor. And the documents required during the application is valid National Identity Card (Omang) or Passport for non-citizens.

11. Upon actual importation the importer is required to have Valid Passport and Valid Import Permit.

12. The permit fee is P150 per applicant.

13. To be issued with the import permit the applicant should pay the permit fee immediately on receipt of an application.

Conditions of Licensing

14. The period of validity of the permit is 30 days, and it cannot be extended unless an applicant applies for a new permit.

15. If an importer decides not to use the permit, no penalty is incurred.

16. The permit is not transferable.

17. The permit issued by Department of Animal Production in relation to import of fish products is only valid when the importer also has a veterinary permit, and this applies to both products subject to quantitative restriction and vice versa.

Other Procedural Requirements

18. There are no other administrative procedures.

19. N/A.

3 MINISTRY OF INVESTMENT, TRADE AND INDUSTRY (DEPARTMENT OF INTERNATIONAL TRADE)

Outline of Systems

1. Import Permit is regulated under Control of goods, Prices and other Charges Act, Statutory Instrument No.52 of 2003, (Cap 43:08). The information is published in a number of publications including the Botswana Trade Portal website, and Government portals and various flyers. The information published is in terms of requirements for obtaining the permits not on quotas as these are not import quotas.

Purposes and Coverage of Licensing

2. (a) Loaves of bread (exceeding 6 loaves per week).

(b) Pie pastries (exceeding 5kg of pastries per week).

3. The system applies to goods originating from all countries.

4. The licensing is intended to monitor the quantity of imports. These are import permits and can therefore be used solely for importation. Monitoring is done through the customs declaration processes. Information on trade data is available upon request from Statistics Botswana.

5. The Import Permit is regulated under Control of goods, Prices and other Charges Act. Statutory Instrument No.52 of 2003, (Cap 43:08) which is an Act of Parliament that can only be amended by Parliament processes. The Act specifies the products covered and is not subject to any discretion.

Procedures

6. No quotas.

7. a) N/A.

b) Import permits are issued immediately on request (within one day), by the Department of International Trade solely, on request provided that the importer satisfies the requirements. Applications for a permit should be submitted before importation, there is no specific days required for the application, however an importer is expected to hold a valid import permit at the time of importation.

c) Import permits do not depend on any period of the year.

d) Import permits applications are approved by the Department of International Trade, under the Ministry of Investment Trade and Industry only.

8. An application cannot be refused unless reasons for the application are not valid or if applicant has made false claims in order to be granted the permit. Applicants have the right to appeal to the Minister of Investment Trade and Industry with 30 days of receiving the Director of International Trade's decision.

Eligibility of Importers to Apply for License

9. All persons/firms and institutions are eligible to apply for an import permit unless they do not meet the requirements.

Documentational and Other Requirements for Application for License

10. Company details, name of exporting country, quantities and products, name, port of entry, destination of goods, Company certificate of incorporation, Trading License, request letter, National Identity card/passport.

11. A valid import permit.

12. Yes – BWP100.

13. No.

Conditions of Licensing

14. Import permit is valid for six (6) months and renewed upon expiry.

15. There are no penalties for not utilizing a permit.

16. Import permits are not transferable.

17. There are no other conditions.

Other Procedural Requirements

18. There are no other administrative procedures.

19. N/A.

4 MINISTRY OF AGRICULTURAL DEVELOPMENT AND FOOD SECURITY (DEPARTMENT OF PLANT PROTECTION)

Outline of Systems

1. The Import Permit is regulated under the Plant Protection Act, Statutory Instrument No.58 of 2009, (Cap 35:02).

Purposes and Coverage of Licensing

2. (i) The Import Permit authorizes the importation of plants and plant products and other regulated articles into the country.
(ii) Phytosanitary certificates are issued to indicate that consignments of plants, plant products or other regulated articles meet specified phytosanitary import requirements and are in conformity with the certifying statement of the appropriate model certificate.
 3. (i) Permits - The system applies to plants and plant products and other regulated articles imported into Botswana.
(ii) Phytosanitary certificates - The system applies to plants and plant products and other regulated articles exported from Botswana.
 4. (i) The permit is intended to prevent introduction, spread and establishment of plant pests, to facilitate trade in plants, to enable Botswana to comply with its International obligations.
(ii) Phytosanitary certificates - issued to indicate that consignments of plants, plant products or other regulated articles meet specified phytosanitary import requirements and are in conformity with the certifying statement of the appropriate model certificate.
5. Both are regulated under Plant Protection Act of 2007. They can only be amended by Parliament processes.

Procedures

6. Not applicable, there is no restriction on quantities.
7. (a) Permits should be applied in advance because there are conditions attached which have to be certified by the exporting country.
(b) In certain circumstances yes. According to the Act, 2 weeks for Plant import permits and Phytosanitary certificates.
(c) Permits and Phytosanitary certificates can be applied for throughout the year.
(d) Issuance for both permits and Phytosanitary certificates is centralized and issued by one organ.
8. A permit can be refused for prohibited plants and plant products and other regulated articles as scheduled in the Act.

Eligibility of Importers to Apply for License

- 9.(b) Issuance of plant import is given to anyone who applies and Phytosanitary certificate to anyone who complies with the importing country conditions.

Documentation and Other Requirements for Application for License

- 10.(a) Information required for plant import permit:
 - (i) Name and address of the importer;

- (ii) Name and address of the exporter;
 - (iii) Mode of transport;
 - (iv) Port of entry into Botswana; and
 - (v) Name and quantity of consignment to be imported.
- b. Information required for Phytosanitary certificate:
- (i) Plant import permit from the importing country.
11. Original import permit and Phytosanitary certificate.
12. (i) Import permit is P150; and
- (ii) Phytosanitary certificate is P300.
13. No deposit required.

Conditions of Licensing

14. Validity period is 6 months for the permit and 2 weeks for the Phytosanitary certificate. Validity cannot be extended.
15. No penalty.
16. Licenses are not transferable; users can only transfer with authority from the National Plant Protection Organization.
17. N/A.

Other Procedural Requirements

18. N/A.
19. N/A.

5 BOTSWANA MEDICINES REGULATORY AUTHORITY

Outline of systems

1. The Medicine Regulatory Authority (BoMRA) was established through an Act of parliament; the Medicines and Related Substances Act of 2013. The act provides for the regulation of medicines, medical devices, and cosmetics in Botswana in order to promote human and animal health by providing guarantees for quality, safety and efficacy of medicines and medicinal products throughout the supply chain. The department of inspection and licensing through the Import/Export control unit (IMPEX) is responsible for establishing and maintaining an effective and efficient import/export control system for BoMRA to ensure compliance with all Botswana import/export control laws and regulations governing medicines and related substances. A manual permitting system was developed and successfully rolled-out between 2019 and 2020 for the control of imports and exports of human and veterinary pharmaceuticals.

Purposes and Coverage of Licensing

2. Import/export control Function:

The function provides for issuance of import license/permits for pharmaceutical products. Licenses/permits are issued per "Product Category" i.e. General human medicines, Narcotics and Psychotropics, veterinary medicines, Medicated feed, complementary medicines, cosmetics and medical devices. Licenses/permits are issued according to registration status i.e. registered or exempted products.

Import/export control provides management of the following processes:

- (i) Import Permit;
- (ii) Export Permit; and
- (iii) Transit Permit.

3. The import permit requirement is applicable to all countries around the world. Over the past two years of BoMRA establishment, import permits were issued for import, export or transit for the following countries Argentina; Austria; Bangladesh; Belgium; Canada; Denmark; France; Germany; India; Ireland; Italy; Kenya; Malaysia; Mauritius; Namibia; Netherlands; United Kingdom; USA; Slovakia; South Africa; Spain; Switzerland; Zambia; Zimbabwe.

4. BOMRA issuance of licenses/permits is to ensure that only products that are registered or exempted are imported. This also allows for visibility of the supply chain as records are retained for all permits issued further minimizing the importation of substandard and falsified products. Moreover, restriction for Narcotics and Psychotropics through the use of import permits and Quota allocation as set up by the United Nations' International Narcotics Control Board allows for better control of the flow of products that could end up on the illicit market.

5. These controls are established in accordance with the laws and regulations governing Medicines practices and services. The laws and regulations applied are listed below:

- Medicines and Related Substances Act (MRSa) 2013;
- Medicines and Related Substances Regulations (MRSR) 2019;
- The Single Convention on Narcotic Drugs 1961;
- The Convention on Psychotropic Substances 1971;
- The 1988 Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances;
- WHO Good distribution practices for Medicines TRS 957, 2010, Annex 5; and
- WHO guidelines on import procedures for Medicines No.917, 2003, Annex 3.

The import permit is regulated under the Medicines and Related Substances Act of 2013. The Act provides for the registration, regulation of the sale, distribution, importation, exportation, manufacture and dispensing of medicines and related substances, and this is not subject to administrative discretion.

Procedures

6.I. Only authorized pharmaceutical distributors are allowed to import narcotics and psychotropics in Botswana. This is stipulated in the national legislation; Botswana Medicines and Related Substances Act of 2013 and supporting regulations of 2019. All registered importers are required to submit annual estimates for products to be imported. Moreover, a permitting system is in place to ensure that only approved quantities are imported. Licenses ensure that all distributors account for the amount authorized and brought into the country. These provides a means for adherence to the allocated quota by the country as no importation is allowed without licenses.

Botswana is required to comply with the Treaty Obligations as enshrined in United Nations International Narcotics Control Board's (INCB) 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances and the 1988 Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. In accordance with these conventions, countries are issued with annual quotas for the different controlled substances listed under each of these conventions. The annual quotas are published on the INCB website as Assessments of annual medical and scientific requirements for substances listed in Schedule II, III and IV of the 1971 Convention on Psychotropic Substances and Totals of estimates of annual medical and scientific requirements for narcotic drugs listed in Schedules I and II of the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol Amending the Single Convention.

All these requirements are communicated with importers through various means of communications such as press releases, emails, letters and phone calls. There are no exceptions or derogations to this requirement.

- II. All INCB country quotas are issued on an annual basis, however, import licenses are issued on demand as long as there is a quota balance for the products required. A license is a single consignment issue hence should be requested with each import.
- III. All authorized imported are given an Acknowledgement Form, BOMRA/IL/IE/P01/F06, to complete and return to BoMRA after importation of all narcotics and Psychotropics within thirty (30) days of receiving consignment together with an export license. This acknowledgement is completed and signed by the authorized person. The acknowledgement is also used to update monthly returns on imports. All unused quota allocations are relinquished at the end of the year. A copy of the licenses is normally sent to the relevant regulatory authority in the exporting country. Upon receipt of import licenses, the exporting country will issue an export license and send a copy to BoMRA, a copy is made and filed while the original is returned with an acknowledgement letter to the exporting country.
- IV. All quota request is submitted to INCB on 30 June annually for the subsequent year. This allows for the authority to request the submission of quotas by the end of April annually. Once the quota is allocated for the country then importers can immediately apply for importation of the products.
- V. All licenses are processed within a minimum period of 24 hours and a maximum of 48 hours.
- VI. As soon the country quota is issued by the INCB a license can be issued to an importer to bring products into the country.
- VII. BOMRA is the competent authority in issues related to importation of pharmaceuticals except for complementary and over the counter medicines sold in general traders who need a trade license. Furthermore, there importers must fulfil tax requirements set by the customs agency.
- VIII. Only authorized pharmaceutical distributors are allowed to import narcotics and psychotropics in Botswana. If an applicant is unauthorized, they will not be issued a license. Also, the applicant must have a valid trade license and have submitted a quota estimate.

All new applicants must possess a suitable warehouse and be issued with a license following inspection in order to qualify to import.

- IX. N/A.
- X. No import based on export license only.
- XI. The licenses are issued for products to be imported from external not domestic market. Only products issued with a transit permit cannot be sold in domestic market.

7.(a)-(d) N/A.

8. An applicant may be rejected in terms of restricted products such as vaccines for notifiable diseases that needs prior authorization from competent authorities such as Veterinary services. An applicant can be rejected for an unregistered product. An applicant can appeal a refusal for issue of a license to the Chief Executive officer or the Minister of health and wellness.

Eligibility of Importers to Apply for a License

- 9 (a) Only registered traders are allowed restricted licenses for over the counter and complementary medicines.
- (b) All authorized importers are allowed non-restrictive importing.

The licensing unit of the Authority is responsible for licensing of all authorized importers and a database is kept for such. Registration is done at a Fee of P1,250.00 per annum. All authorized importers are published in the BoMRA website.

Documentation and Other Requirements for Application for license

10. Information required for application include the qualified persons information, premises detail and attachments required are copy of a valid registration card (BHPC/BVSC card), copy of pharmacist's/veterinarian registration certificate, copy of Expiring BOMRA Approval License, at least two references and a brief C.V. of the pharmacist (Pre-licensing), declaration letter for continuous personal supervision by a pharmacist/veterinarian, Private Practice license (For community pharmacy), proof of payment, purchase order, name of exporting country and port of entry.

11. The following documents are required upon importation: An import license, an approved purchase order, an invoice and packing list.

- (i) In the case of HFDs: - authorized purchase order, valid import permit and corresponding export permit.
- (ii) For importation of veterinary medicinal products: - valid import permit and corresponding purchase order.
- (iii) Other (human) medicines: - only import permit.

12. An import license for general medicines is P50 and for Narcotics and Psychotropics is P100 while for transit license is P100 each license.

Conditions of Licensing

13. No.

14. General medicines licenses validity is two (2) months from the date of issue. Psychotropic and/or Narcotics license validity is Six (6) months from the date of issue. No extension is allowed.

15. No penalty.

16. Not transferable.

17.(a) Yes. For the control on the use of such products.

(b) Yes. This is for the packaging and notifying the authority upon importation.

Other procedural Requirements

18.

- (i) Registration of products;
- (ii) Licensing of authorized importers;
- (iii) Issuance of trade license;
- (iv) Registration of professional.

19. Foreign exchange is always made available by relevant authorities.

6 DIAMOND HUB

Outline of Systems

1. In terms of importing diamonds into Botswana there is no Import license required. However, in order to trade in rough/uncut Diamonds a company has to have a Precious Stones Dealers License. This License allows the holder to buy, sell, import and export rough Diamonds and it is valid for a

period not exceeding five years. All these are guided by the Precious and Semi-Precious Stones (Protection) Act, Chapter 66:03.

Botswana is a participating member of the Kimberley Process Certification Scheme (KPCS), the association of governments of diamond-producing and importing countries, commercial diamond firms, pan-industry associations and non-governmental organisations (NGOs).

The information is published in a number of publications including the Botswana Trade Portal website, and Government portals and various flyers. The information published is in terms of regulations for trading in rough or uncut diamonds.

Purposes and Coverage of Licensing

2. Rough or uncut diamonds.
3. All imports of rough or uncut diamonds from participants of the Kimberley Process Scheme (KPCS).
4. The KPCS has implemented a certification system for the international trade in rough diamonds, designed to prevent "blood" or "conflict" diamonds from being shipped through legitimate trading channels.
5. Kimberley Process Scheme (KPCS).

Procedures

6. Not applicable.
7. a) An import notification is sent prior to the arrival of the shipment. This is mandatory practice and a shipment can be kept on hold if no notification is received.
b) N/A.
c) N/A.
d) The goods are cleared by BURS at the airport and brought to the Diamond Hub by the client for inspection.
8. Compliant goods are released to the client and non-compliant goods are confiscated. A person aggrieved by any decision of the Minister under these regulations may appeal to the President against that decision.

Eligibility of Importers to Apply for License

9. All firms and institutions are eligible to import Rough Diamonds unless they do not meet the requirements. No person shall import any rough diamonds unless such rough diamonds are accompanied by a Kimberly process certificate issued in the State of export.

Documentational and Other Requirements for Application for License

10. N/A.
11. All rough diamond shipments have to be accompanied by a Kimberley Process Certificate which is issued by the exporting country's KP authority.
12. N/A.
13. N/A.

Conditions of Licensing

14. A Kimberley process certificate issued in terms of regulation 4 (2) shall be valid for one month and shall not be renewable or transferable.

15. N/A.

16. N/A.

17. N/A.

Other Procedural Requirements

18. N/A.

19. N/A.

7 MINISTRY OF INVESTMENT, TRADE AND INDUSTRY (DEPARTMENT OF INDUSTRIAL AFFAIRS)

Outline of Systems

1. The restriction on importation of salt in quantities less than 100kg is regulated under Control of Goods, Prices and other Charges Act. Statutory Instrument No.10 of 2015, Cap 43:08). The information is published in a number of publications including the Government Gazette and Ministry website. Information is also published at all points of entry (borders) across the country. Information published is on what the restriction operates and indicating allowable quantities for importation.

Purposes and Coverage of Licensing

2. As per the statutory instrument, the restriction covers pre-packed salt whether table salt or denatured salt and pure sodium chloride, whether or not in aqueous solutions (sea water).

3. The system applies to goods originating from all countries.

4. The restriction is intended to monitor and regulate the volumes of salt imports.

5. Control of Goods, Prices and other Charges Act. Statutory Instrument No.10 of 2015, Cap 43:08) which is an Act of Parliament that can only be amended by parliament processes. The Act specifies the products covered and is not subject to any discretion unless only in extremely extenuating circumstances when there is a shutdown or shortage of the salt where the Minister can exercise his powers and deviate from the regulations. The system cannot be abolished without legislative approval.

Procedures

6. No quotas.

7.(a) Import permits are issued on request provided the relevant documentation is provided.

(b) Yes.

(c) They are issued all year round.

(d) It is effected by a single administrative organization.

8. If the applicant meets the set criteria, an application will not be denied. Applicants who feel aggrieved have the right to appeal using the available structures.

Eligibility of Importers to apply for License

9. All persons, firms and institutions are eligible to apply for licenses.

Documentational and other Requirement for Application for License

10. For the restriction on salt importers are not required to apply for any licence.

11. N/A.

12. N/A.

13. N/A.

Conditions of Licensing

14. N/A.

15. N/A.

16. N/A.

17. N/A.

Other Procedural Requirements

18. None.

19. Foreign exchange always made available.

8 MINISTRY OF INVESTMENT, TRADE AND INDUSTRY (DEPARTMENT OF INTERNATIONAL TRADE)

Outline of Systems

1. Import Permit is regulated under Control of goods, Prices and other Charges Act, Statutory Instrument No.86 of 2008, (Cap 43:08). The information is published in a number of publications including the Botswana Trade Portal website, and Government portals and various flyers. The information published is in terms of requirements for obtaining the permits not on quotas as these are not import quotas.

Purposes and Coverage of Licensing

2. Pre-Packed Refined Sugar (exceeding 50 kg).

3. The system applies to goods originating from all countries.

4. The licensing is intended to monitor the quantity of imports. These are import permits and can therefore be used solely for importation. Monitoring is done through the customs declaration processes. Information on trade data is available upon request from Statistics Botswana.

5. The Import Permit is regulated under Control of goods, Prices and other Charges Act. Statutory Instrument No.86 of 2008, (Cap 43:08) which is an Act of Parliament that can only be amended by Parliament processes. The Act specifies the products covered and is not subject to any discretion.

Procedures

6. No quotas.

7. a) N/A.

- b) The permit is issued immediately on request (within a one day).
- c) Import permits do not depend on any period of the year.
- d) Import permits are issued immediately by the Department of international Trade solely, on request provided that the importer satisfies the requirements .

8. An application cannot be refused unless reasons for the application are not valid or if applicant has made false claims in order to be granted the permit. Applicants have the right to appeal to the Minister of Investment Trade and Industry with 30 days of receiving the Director of International Trade's decision.

Eligibility of Importers to Apply for License

9. All firms and institutions are eligible to apply for an import permit unless they do not meet the requirements.

Documentational and Other Requirements for Application for License

10. Company details, name of exporting country, quantities and products, name, destination of goods, company certificate of incorporation, Manufacturing License, National Identity card/passport.

11. A valid import permit.

12. Yes – BWP50.

13. No.

Conditions of Licensing

14. Import permit is valid for six (6) months and renewed upon expiry.

15. There are no penalties for not utilizing a permit.

16. Import permits are not transferable.

17. N/A.

Other Procedural Requirements

18. There are no other administrative procedures.

19. N/A.

9 MINISTRY OF INVESTMENT, TRADE AND INDUSTRY (DEPARTMENT OF INTERNATIONAL TRADE)

Outline of Systems

1. Import Permit is regulated under Control of goods, Prices and other Charges Act, Statutory Instrument No.85 of 2002, (Cap 43:08). The information is published in a number of publications including the Botswana Trade Portal website, and Government portals and various flyers. The information published is in terms of requirements for obtaining the permits not on quotas as these are not import quotas.

Purposes and Coverage of Licensing

2. Wheat flour (exceeding 12.5 kg).

3. The system applies to goods originating from all countries.

4. The licensing is intended to monitor the quantity of imports. These are import permits and can therefore be used solely for importation. Monitoring is done through the customs declaration processes. Information on trade data is available upon request from Statistics Botswana.

5. The Import Permit is regulated under Control of goods, Prices and other Charges Act. Statutory Instrument No.85 of 2002, (Cap 43:08) which is an Act of Parliament that can only be amended by Parliament processes. The Act specifies the products covered and is not subject to any discretion.

Procedures

6. No quotas.

7. a) N/A.

b) The permit is issued immediately on request (within a one day).

c) Import permits do not depend on any period of the year.

d) Import permits are issued immediately by the Department of International Trade under the Ministry of Investment, Trade and Industry solely, on request provided that the importer satisfies the requirements.

8. An application cannot be refused unless reasons for the application are not valid or if applicant has made false claims in order to be granted the permit. Applicants have the right to appeal to the Minister of Investment Trade and Industry with 30 days of receiving the Director of International Trade's decision.

Eligibility of Importers to Apply for License

9. All firms and institutions are eligible to apply for an import permit unless they do not meet the requirements.

Documentational and Other Requirements for Application for License

10. Company details, name of exporting country, quantities and products, name, port of entry, destination of goods, Company certificate of incorporation, Trading License, approval letter from Department of Industrial Affairs, National Identity card/passport.

11. A valid import permit.

12. Yes – BWP50.

13. No.

Conditions of Licensing

14. Import permit is valid for six (6) months and renewed upon expiry.

15. There are no penalties for not utilizing a permit.

16. Import permits are not transferable.

17. The importer shall pay 9% (reviewed from 15% to 9%) levy on all types of wheat flour that he imports.

Other Procedural Requirements

18. There are no other administrative procedures.

19. N/A.
