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Committee on Import Licensing

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**REPLIES TO THE QUESTIONNAIRE ON
IMPORT LICENSING PROCEDURES¹**

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

GABON

The following communication, dated 2 March 2017, is being circulated at the request of the delegation of Gabon.

**1 MINISTRY RESPONSIBLE FOR TRADE, MINISTRY RESPONSIBLE FOR THE
ENVIRONMENT, MINISTRY RESPONSIBLE FOR THE ECONOMY**

**1.1 Regulations governing the importation of ozone-depleting substances (ODSs) and
equipment using ODSs**

Outline of systems

1. Gabon has ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer. In this regard, the Gabonese Government has developed a plan to reduce imports of materials containing ODSs.

Interministerial Orders Nos. 000681 and 000682 regulating the importation of ODSs and equipment using ODSs have been implemented for this purpose.

Purposes and coverage of licensing

2. A special import authorization is required for all imports of ODSs and products containing and equipment using ODSs.

3. The system applies to goods originating in and coming from all countries.

4. The system aims to reduce imports of ODSs and materials containing ODSs on the basis of a quota established by Order of the Minister responsible for the environment, in accordance with the recommendations contained in the status report of the National Ozone Programme.

5. The system was not established by means of legislation but pursuant to the following administrative acts:

- Order No. 000681/MEFEPEPN/MCDIIR/MEFBP;
- Order No. 000682/MEFEPEPN/MCDIIR/MEFBP.

The Government may change the goods subject to licensing without informing the Parliament.

¹ See document G/LIC/3, Annex, for the Questionnaire.

Procedures

- 6.I. Information on quotas, procedures for filing licence applications, exceptions and waivers is contained in the aforementioned Orders.
- II. Import quotas are established by Order of the Minister responsible for the environment, in accordance with the recommendations contained in the status report of the National Ozone Programme. The Minister informs the Ministers responsible for trade, the economy and finance of the quotas.
- III. Import licences are issued by the Directorate-General of Trade to importers that meet the criteria set out in the Orders, based on the conclusions of an assessment carried out by the Directorate-General of Industrial Development.

Importers are required to submit, on a quarterly basis, information on the use of ODSs in their activities, to the Directorate-General of Industrial Development, which sends the results of the assessment to the National Ozone Programme.

The Orders contain no reference to the carrying over of quotas that have not been exhausted.

They make no reference to the possibility of communicating the names of importers to whom licences have been allocated to foreign governments, upon request.

- IV. There are no specific conditions, but preferably importers should file their applications five working days in advance.
- V. There are no specific conditions, but generally applications are processed within five working days.
- VI. There are no specific restrictions in this regard.
- VII. Import licences are issued by the Directorate-General of Trade to importers that meet the criteria set out in the Orders, based on the conclusions of an assessment carried out by the Directorate-General of Industrial Development.

The licence application form contains five identical sheets that are intended for the following bodies:

- the Directorate-General of Trade;
- the Directorate-General of Industrial Development;
- the Directorate-General of Customs and Excise;
- the National Ozone Programme;
- the fifth sheet is returned to the economic operator filing the licence application.

- VIII. The Orders make no reference to the manner in which the quotas are allocated. However, quotas are regulated in accordance with the follow-up on the use of imported equipment and products, under the Refrigerant Management Plan (PGF).
- IX. The Orders make no reference to such a system.
- X. The Orders make no reference to such a system.
- XI. The Orders make no reference to such a system.

7(a) The Orders do not establish a specific time-limit, but it is preferable to allow for around five working days. Licences cannot be issued for goods for which an application has not been filed, irrespective of the reason provided.

- (b) In principle, no.
- (c) No.

- (d) Import licences are issued by the Directorate-General of Trade to importers that meet the criteria set out in the Orders, based on the conclusions of an assessment carried out by the Directorate-General of Industrial Development.

The licence application form contains five identical sheets that are intended for the following bodies:

- the Directorate-General of Trade;
- the Directorate-General of Industrial Development;
- the Directorate-General of Customs and Excise;
- the National Ozone Programme;
- the fifth sheet is returned to the economic operator filing the licence application.

8. A licence application may be rejected if the established quota has already been filled. In such circumstances, the importer is notified. There is no possibility for importers whose applications have been rejected to file an appeal.

Eligibility of importers to apply for licence

9. Economic operators, and natural or legal persons are eligible to apply for a licence. There is no published list of authorized importers.

Documentational and other requirements for application for licence

10. Importers must complete a form including the following information:

- their corporate name or identity, address, and registration number in the trade and personal property credit register;
- the trade name, scientific name, chemical formula, and tariff item under the Harmonized System customs code of each substance to be imported;
- the quantity of each substance or product to be imported according to the relevant quotas and rates;
- the status of stocks prior to the enactment of this Order;
- details of the origin, trademark or licence of the supplier; and
- full particulars of the supplier.

The licence application form contains five identical sheets that are intended for the following bodies:

- the Directorate-General of Trade;
- the Directorate-General of Industrial Development;
- the Directorate-General of Customs and Excise;
- the National Ozone Programme;
- the fifth sheet is returned to the economic operator filing the licence application.

11. The release of goods from customs is subject to presentation of the special import authorization issued by the Directorate-General of Trade.

12. The Directorate-General of Trade charges a registration fee.

13. No fee or deposit is required.

Conditions of licensing

14. Import licences are valid as from the date of issue until the date that the refrigerants are cleared from customs.

15. The Directorate-General of Trade does not impose penalties for the non-utilization of a licence.

16. Licences may not be transferred among importers.

17. No other procedures are required for the issue of a licence.

Other procedural requirements

18. There are no other procedures required by the Directorate-General of Trade.

19. To be confirmed by the banking authorities.

2 MINISTRY OF THE DIGITAL ECONOMY, COMMUNICATIONS AND POSTAL SERVICES

2.1 Procedure for importing telecommunications equipment into Gabon

Outline of systems

1. Gabon, following the example of the other African countries, has implemented a programme that aims to replace analogue television by digital terrestrial television (DTT), in light of the many advantages that it presents. The Government accordingly decided to prohibit, as from 1 January 2016, all imports of equipment (decoders, recorders or other television equipment) that is not compatible with DTT.

Moreover, imports of televisions, decoders, recorders or other television receiver equipment are subject to a special import authorization issued jointly by the Directorate-General of Trade and the Regulatory Authority for Electronic Communications and Postal Services (ARCEP).

Purposes and coverage of licensing

2. A special import authorization is required for all imports of televisions, decoders, recorders or other television receiver equipment.

3. The system applies to goods originating in and coming from all countries.

4. The system aims to ensure that televisions, decoders, recorders and other television receiver equipment sold in Gabon allow proper broadcasting via DTT.

5. The system was not established by means of legislation but pursuant to the following administrative acts:

- Order No. 000308/MEPN/MCPMEADS/MCRIC-PG;
- Order No. 000198/MENCP/MPMEAC/MEEDD.

The Government may change the goods subject to licensing without informing the Parliament.

Procedures

6.I. Information relating to the technical specifications for equipment, procedures for filing licence applications, exceptions and waivers is contained in the aforementioned Orders.

II. The technical specifications for equipment are determined by the ARCEP.

III. Import licences are issued jointly by the Directorate-General of Trade and the ARCEP to importers that meet the criteria set out in the Orders.

Importers of equipment are required to declare in advance their imports to the Directorate-General of Trade, in accordance with the conditions determined by the Ministry responsible for trade.

The Orders make no reference to the possibility of communicating the names of importers to whom licences have been allocated to foreign governments, upon request.

IV. There are no specific conditions, but preferably importers should file their applications five working days in advance.

- V. There are no specific conditions, but generally applications are processed within five working days.
- VI. There are no specific restrictions in this regard.
- VII. Import licences are issued jointly by the Directorate-General of Trade and the ARCEP to importers that meet the criteria set out in the Orders.
- VIII. The Orders make no reference to such a system.
- IX. The Orders make no reference to such a system.
- X. The Orders make no reference to such a system.
- XI. The Orders make no reference to such a system.
- 7.(a) The Orders do not establish a specific time-limit, but it is preferable to allow for around five working days. Licences cannot be issued for goods for which an application has not been filed, irrespective of the reason provided.
- (b) In principle, no.
- (c) No.
- (d) Import licences are issued jointly by the Directorate-General of Trade and the ARCEP to importers that meet the criteria set out in the Orders.
- 8. A licence application may be rejected if the required specifications are not met. In such circumstances, the importer is notified. There is no possibility for importers whose applications have been rejected to file an appeal.

Eligibility of importers to apply for licence

- 9. Economic operators, and natural or legal persons are eligible to apply for a licence. There is no published list of authorized importers.

Documentational and other requirements for application for licence

- 10. Importers must complete a form.
- 11. The release of goods from customs is subject to presentation of the special import authorization issued jointly by the Directorate-General of Trade and the ARCEP to importers that meet the criteria set out in the Orders.
- 12. The Directorate-General of Trade charges a registration fee.
- 13. No fee or deposit is required.

Conditions of licensing

- 14. Import licences are valid as from the date of issue until the date that the equipment is cleared from customs.
- 15. The Directorate-General of Trade does not impose penalties for the non-utilization of a licence.
- 16. Licences may not be transferred among importers.
- 17. No other procedures are required for the issue of a licence.

Other procedural requirements

- 18. There are no other procedures required by the Directorate-General of Trade.
 - 19. To be confirmed by the banking authorities.
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