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Committee on Import Licensing

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REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹

NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES (2022)

UNITED KINGDOM

The following notification, dated 22 September 2022, is being circulated at the request of the delegation of the United Kingdom.

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

1 DEPARTMENT FOR THE ENVIRONMENT, FOOD AND RURAL AFFAIRS

1.1 Agricultural Products – Non-quota import licences

Outline of system

1. The United Kingdom (UK) operates a system of import licences to monitor trade flows for certain agricultural products. This system does not limit access to the UK market.

The regulations implementing this system set out which products are subject to import licence requirements and the process by which operators can apply for and utilise import licences.

Import licences are issued by the Rural Payments Agency and are valid for a certain period, which varies depending upon the different products.

Once the Rural Payments Agency have received an application, which meets the criteria set out in the regulations, they will issue the relevant import licence within five working days.

Purposes and Coverage of licensing

2. The following goods are subject to an import licence in the United Kingdom:

- i. Hemp seeds for sowing, raw hemp, hemp seeds not for sowing under the commodity codes 1207 99 20, 1207 99 91 and 5302 10 00.

The following goods are subject to an import licence in Northern Ireland only:

- i. Husked, milled or broken rice products under the commodity codes 1006 20, 1006 30 and 1006 40 00.
- ii. Ethyl Alcohol of agricultural origin under the commodity codes 2207 10 00, 2207 20 00, 2208 90 91 and 2208 90 99.

3. The licence system for the United Kingdom applies to all countries without exception. Licences required only in Northern Ireland are not required for imports from the European Union.

4. The automatic licensing is not intended to restrict the quantity or value of imports. The purpose is to monitor trade flows for certain agricultural products without limiting access to the UK market.

5. The legal bases for these import licences respectively are:

The Import and Export Licences (Amendment etc.) (EU Exit) Regulations 2019, laid under the European Union (Withdrawal) Act 2018 which amends retained EU law: Commission Delegated Regulation (EU) 2016/1237 of 18 May 2016 and Commission Implementing Regulation (EU) 2016/1239 of 18 May 2016.

The Import and Export Licensing (Miscellaneous Amendments) Regulations 2021.

Chapter I of Part III of Regulation (EU) No 1308/2013 applies in respect of Northern Ireland by virtue of the application of section 7A of the European Union (Withdrawal) Act 2018 and Annex 2 of the Northern Ireland Protocol.

The products which are subject to this import licensing regime are designated in the above legislation. Revocation of this regime would require new or amended legislation to be brought before Parliament.

6. Not applicable.

- 7.(a) A licence is issued within five working days of receiving a valid application. The day an application for a licence is lodged shall be deemed to be the working day on which it is received by the licence issuing authority, provided that it has been received not later than midday. A licence is valid from the day of issue.

- (b) A licence is granted without delay after a valid application has been lodged, within five working days.
- (c) There are no limitations as to the period of the year during which application for licence may be made.
- (d) The Rural Payments Agency administers all licence applications.

8. Import licences for hemp or hemp seeds are only issued where the conditions laid down in Article 189(1) of retained EU Regulation 1308/2013 have been met. Otherwise, the legislation does not give grounds for refusal of an application for a licence other than failure to meet the ordinary eligibility criteria. Reasons for refusal are given to the applicant. No appeal procedures are specified in the legislation.

Eligibility of importers to apply for license

9. To apply for a licence, an importer must have an Economic Operator's Registration and Identification number and be registered with the Rural Payments Agency. There is no registration fee to become an importer. There is no published list of authorised importers.

10. There are no requirements regarding the format of an application, but guidance on how to apply for a licence can be found online at <https://www.gov.uk/guidance/licences-for-the-importexport-of-agricultural-products#ETs>.

11. When the import declaration is made, a copy of the relevant import licence, in an electronic form or otherwise, must be presented to customs.

12. There are no fees for applying for a non-quota import licence.

13. Please see 14. below.

Conditions of licensing

14. Applications for a non-quota import licence for rice or ethyl alcohol require a security to be lodged. This security is returned when the obligation to import is considered to have been fulfilled. The relevant securities and the period of validity are set out below.

Commodity code	Description	Amount of security	Period of Validity
1006 20	Husked (brown) rice, including products imported under tariff rate quotas managed by FCFS	£26/t	until the end of the 2 nd month following the month of the day of issue of the licence
1006 30	Semi-milled or wholly milled rice, whether or not polished or glazed, including products imported under tariff rate quotas managed by FCFS	£26/t	until the end of the 2 nd month following the month of the day of issue of the licence
1006 40 00	Broken rice, including products imported under tariff rate quotas managed by FCFS	£1/t	until the end of the 2 nd month following the month of the day of issue of the licence
ex 2207 10 00	Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol. or higher	£1 per hectolitre	until the end of the 4 th month following the month of the day of issue of the licence
ex 2207 20 00	Ethyl alcohol and other spirits, denatured, of any strength	£1 per hectolitre	until the end of the 4 th month following the month of the day of issue of the licence
ex 2208 90 91	Undenatured ethyl alcohol of alcoholic strength by volume of less than 80% vol	£1 per hectolitre	until the end of the 4 th month following the month of the day of issue of the licence
ex 2208 90 99	Undenatured ethyl alcohol of alcoholic strength by volume of less than 80 % vol.	£1 per hectolitre	until the end of the 4 th month following the month of the day of issue of the licence

Commodity code	Description	Amount of security	Period of Validity
ex 1207 99 20	Seeds of varieties of hemp, for sowing	No security required	until the end of the 6th month following the month of the day of issue of the licence
1207 99 91	Hemp seeds other than for sowing	No security required	until the end of the 6th month following the month of the day of issue of the licence
5302 10 00	True hemp, raw or retted	No security required	until the end of the 6th month following the month of the day of issue of the licence

15. If the licence is not used within the period of validity, then any security which has been lodged will be forfeited.

16. Import authorisations are transferable between importers. Import licences constitute a right and give rise to an obligation to import under the licence during its period of validity. As a general rule, rights deriving from licences are transferable by the titular holder of the licence during the period of its validity, but obligations deriving from licences are not transferable. The original licence holder should apply to the Rural Payments Agency to transfer the licence. Transferees must have an EORI number and be registered with the Rural Payments Agency.

17. No other conditions are attached to the issuance of a non-quota import licence.

Other procedural requirements

18. No other administrative procedures, apart from import licensing and similar administrative procedures are required prior to importation.

19. The banking authorities automatically provide foreign exchange for goods to be imported as well as to cover import licences. A licence is not required as a condition to obtaining foreign exchange.

1.2 Agricultural Products – Tariff Rate Quota import licences

Outline of system

1. The United Kingdom (UK) operates a system of import licences in order to administer tariff rate quotas (TRQs) by the simultaneous examination method for certain agricultural products arising from obligations at the WTO or resulting from arrangements with the government of a country or territory of a country outside the UK.

The regulations listed at paragraph 2.5 set out which products are subject to import licence requirements and the process by which operators can apply for and utilise import licences.

Import licences are issued by the Rural Payments Agency and are valid for a certain period which varies depending upon the different products.

Once the Rural Payments Agency have received an application which meets the criteria set out in these Regulations, they will issue the relevant import licence without delay.

Purposes and Coverage of licensing

2. Under the Customs (Tariff Quota) (EU Exit) Regulations 2020 (read with the Customs Tariff (Preferential Trade Arrangements) (EU Exit) Regulations 2020), any good imported under tariff rate quotas which are listed in the Licensing Table in Schedule 2 of these regulations are subject to an import licence according to the conditions set out in these regulations.

- i. Beef and Veal under the commodity Codes 0201 10, 0201 20, 0201 30, 0202 10, 0202 20, 0202 30, 0206 10 and 0206 29;
- ii. Pig meat under the commodity Codes 0203 12, 0203 19, 0203 22 and 0203 29;
- iii. Poultry meat under the commodity Codes 0207 11, 0207 12, 0207 13, 0207 14, 0207 27, 0210 99, 1602 31, 1602 32 and 1602 39;

- iv. Garlic under the commodity Code 0703 20;
- v. Milk and dairy products under the commodity Codes 0405 10 and 0406 90;
- vi. Cereals and Rice products under the commodity Codes 1001 99, 1005 10, 1005 90, 1006 20, 1006 30 and 1006 40;
- vii. Sugar (cane or beet) under the commodity Code 1701.

3. This licences system applies to the countries for whom the tariff rate quotas are opened. Details on all the tariff rate quotas, which the UK operate can be found here – <https://www.gov.uk/government/publications/reference-documents-for-the-customs-tariff-quotas-eu-exit-regulations-2020>.

4. Non-automatic licensing is intended to restrict the quantity of imports which can benefit from reduced duties under tariff rate quotas (TRQs).

5. The legal basis for these import licences is a statutory instrument made under the Taxation (Cross-border Trade) Act 2018:

- The Customs (Tariff Quota) (EU Exit) Regulations 2020, laid under the Taxation (Cross-border Trade) Act 2018.

The products which are subject to this import licensing regime are designated in the above legislation. Revocation of this regime would require new or amended legislation to be brought before Parliament.

Procedures

6. The UK does not apply restrictions on the imports of agricultural products. However, imports of agricultural products at a lower duty rate than the UK bound rate are possible under TRQs. Imports under tariff rate quotas may be subject to an import licence:

- I. The Customs (Tariff Quota) (EU Exit) Regulations 2020 sets out the two management methods for TRQs:
 - a) First-come first-served
 - b) Simultaneous examination method (licences)

The first-come first-served method does not involve the issuing of licenses.

This relevant guidance is available on <https://www.gov.uk/guidance/the-trader-s-guide-to-importing-and-exporting-certain-agricultural-goods>.

- II. The tariff quotas are opened on a yearly basis and their administration may differ. There are cases where the total quantity of the quota is divided in biannual, quarterly or monthly sub-periods. Licence applications take place on a monthly basis, in the first seven days of each month.
- III. Licences are allotted to any applicant meeting the eligibility criteria irrespective of their place of establishment in the UK or the Crown Dependencies. To ensure that allocated licences are actually used, a system of securities applies. If imports are not, or partially not realised, the licence holder's security is forfeited or partially forfeited.
- IV. The minimum amount of time an operator has to apply for an import licence for a certain quota following the publication of the opening of the quota is seven days.
- V. Licences are issued at latest by the end of the month in which the application was received, except that licences that are valid from 1 January must be issued by 16 December of the preceding year.
- VI. The time between issuing an import licence and the quota opening is usually one week.
- VII. Licence administration is managed by the Rural Payments Agency (RPA).

VIII. Within the tariff rate quotas managed by import licences, the allocation to applicants is made by simultaneous examination. If the demand for licences cannot be fully satisfied, the RPA calculates to what extent the total quantity can be allocated and fixes a uniform allocation coefficient valid for each import licence.

For certain over-utilised quotas, quantities will be allocated on the basis of previous imports of those products (reference quantity).

IX. When export licences are issued by third countries, importers will need to submit this licence or a copy with their application for a licence.

X. There are no cases where imports are allowed on the basis of export permits only.

XI. There are no products for which licences are issued on condition that goods should be exported and not sold in the domestic market.

7.(a)-(d) Not applicable.

8. The legislation does not give grounds for refusal of an application for a licence other than failure to meet the ordinary eligibility criteria. Reasons for refusal are given to the applicant. No appeal procedures are specified in the legislation.

Eligibility of importers to apply for license

9. To be eligible to apply for a licence, an importer must be:

- a. registered under the Value Added Tax Act 1994;
- b. established in the United Kingdom, which for an individual means a resident of the UK, or in any other case means where a person has a registered office in the UK or a permanent place in the United Kingdom from which the person carries out activities which the person is constituted to perform;
- c. registered with HM Revenue and Customs for an Economic Operator's Registration and Identification number;
- d. where goods that are subject to a quota by virtue of UK Regulations are subject to a quota under equivalent legislation in the Crown Dependencies, licences are administered by the RPA for operators established in the Crown Dependencies.

There is no registration fee to become an importer. There is no published list of authorised importers.

Documentation and other requirements for application for license

10. There are no requirements regarding the format of an application, but guidance on how to apply for a TRQ can be found online at <https://www.gov.uk/guidance/licences-for-the-importexport-of-agricultural-products#ETs>.

Applications for imports under certain TRQs for milk and milk products will need to be accompanied by an Inward Monitoring Arrangement (IMA) certificate or a copy of this certificate. This certificate should be issued by the recognised authority for the exporting company. TRQs with this requirement and the details of recognised authorities are set out in Part B, Schedule 1 of the Customs (Tariff Quota) (EU Exit) Regulations 2020.

Applications for imports under certain TRQs for beef and veal products will need to be accompanied by a Certificate of Authenticity or a copy of this certificate. This certificate should be issued by the recognised authority for the exporting company. TRQs with this requirement and the details of recognised authorities are set out in Part B, Schedule 1 of the Customs (Tariff Quota) (EU Exit) Regulations 2020.

11. When the import declaration is made, a copy of the relevant TRQ import licence, in an electronic form or otherwise, must be presented to customs. For certain high-quality beef quotas, the goods must also be accompanied by a Certificate of Authenticity issued by the authorised government body

in the exporting territory. The quotas and issuing bodies are listed in Part B, Schedule 1 of the Customs (Tariff Quota) (EU Exit) Regulations 2020.

12. There are no fees for applying for a TRQ import licence.

13. There are no fees for applying for a TRQ import licence, however, a security must be lodged with the RPA. The amount of the security depends on the products and is set out in Schedule 2 of the Customs (Tariff Quota) (EU Exit) Regulations 2020. The security is returned once the conditions of the licence have been met and the goods have been imported.

Conditions of licensing

14. A TRQ import licence is valid from the first day of the opening of the quota period or sub-period for which the application was made, if the licence application was received prior to the commencement of the quota period or sub-period or from the first day of the month following receipt of the licence application, if the application is received within the quota period or sub-period for which the application was made. A TRQ import licence is valid until the end of the quota period in respect of which it was issued.

Milk and milk products

Where an IMA has been submitted with an application for an import licence, the licence issued will be valid from the date of its issue until the final day of the month, which is the eighth month following its issue so long as that period does not extend beyond 31st December in the year in which it was issued.

Beef and veal

Where a Certificate of Authenticity has been submitted with an application for an import licence, the licence issued will be valid for the relevant quota period or a period of three months beginning with the day on which the licence was issued, whichever period ends first.

15. There is no penalty for the non-utilisation of a TRQ import licence. However, if an import licence is not used the security lodged with the application is forfeited. If an import licence is only partially used, a proportional amount of the security is forfeited.

16. Import authorisations are transferable between importers. Import licences constitute a right and give rise to an obligation to import under the licence during its period of validity. As a general rule, rights deriving from licences are transferable by the titular holder of the licence during the period of its validity, but obligations deriving from licences are not transferable. The original licence holder should apply to the Rural Payments Agency to transfer the licence. The transferee should meet the same eligibility criteria as the transferor.

17. No other conditions are attached to the issuance of an import authorisation for products subject to or not subject to quantitative restrictions.

Other procedural requirements

18. No other administrative procedures, apart from import licensing and similar administrative procedures are required prior to importation.

19. The banking authorities automatically provide foreign exchange for goods to be imported as well as to cover import licences. A licence is not required as a condition to obtaining foreign exchange.

1.3 Endangered Species (CITES)

Outline of system

1. This section provides an overview of legislation regulating imports of specimens of certain endangered species of animals and plants, whether dead or alive and including their parts or derivatives. The system implements the licensing obligations of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Documentation is required for the import into and (re-)export from United Kingdom (UK) of endangered species listed in Appendices I, II and III of CITES and of certain non-CITES species which are covered by relevant legislation.

Purposes and coverage of licensing

2. Based on CITES, a licensing system is in place for specified endangered species of animals and plants, which comprises a double-checking system involving export and import controls by both the country of export and by the UK as the country of import. Under CITES "trade" refers to all cross-border movements including non-commercial movements. The licensing system applies to all cross-border movements of specimens of the listed species (whether dead or alive and including their parts and derivatives) and covers not only commercial trade but also, for example, imports or (re)exports for personal use.

The species of plants and animals that are subjected to licensing are listed in Annexes A to D of Council Regulation (EC) No 338/97 as it applies in Great Britain (retained EU law), and Annexes A to D of Council Regulation (EC) No 338/97, which applies in Northern Ireland. The Wildlife Trade Regulations (WTR) described in section 5 below detail different licensing requirements for the species listed in each Annex.

Species listed in Annex A: In general, specimens of the species listed in this Annex cannot be imported for primarily commercial purposes. There are limited exceptions.

Species listed in Annex B, i.e., most species concerned by the WTR: transactions with commercial purposes involving specimens of these species listed in this Annex are possible under a number of strict conditions. Exemptions from this permit requirement can be granted on a case-by-case basis.

Species listed in Annexes C and D need also to meet a number of documentary requirements.

Prohibitions can also be put in place on the importation of certain specimens or species, either globally or originating from specific countries. The restrictions may be found in Commission Implementing Regulation (EU) No 2019/1587 as it applies in Great Britain as retained EU law and as it applies in Northern Ireland directly (see section 5 for information on the legislation).

3. In the case of Great Britain (England, Scotland and Wales), the licensing requirement applies to all traders and individuals importing listed specimens from all countries and territories outside of Great Britain. In the case of Northern Ireland, the import licensing requirement applies to all traders and individuals importing listed specimens from all countries and territories outside of the European Union. Documentation is required for movements between Great Britain and Northern Ireland.

4. The purpose of this licensing is not to restrict the quantity or value of imports. Rather, the aim is to protect certain species of animals and plants from over-exploitation through trade, in accordance with CITES and pursuant to relevant domestic policies on the conservation of endangered animal and plant species. As a Party to CITES, the UK is obliged to implement the Convention through a licensing system comprising of import and export controls.

5. The licensing requirements are specified in various regulations (legislation) collectively referred to as the Wildlife Trade Regulations. The relevant regulations include retained EU law which applies in Great Britain (GB), EU law which applies to Northern Ireland (NI), and UK domestic regulations which apply to both GB and NI.

Retained EU law UK(GB).

The following regulations, as amended by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (SI 2020/1395), the Trade in Endangered Species of Wild Fauna and Flora (Council Regulation (EC) No. 338/97) (Amendment) Regulations 2021 (SI 2021/ 054), and the Trade in Endangered Species of Wild Fauna and Flora (Council Regulation (EC) No. 338/97) (Amendment) (No. 2) Regulations 2021 (SI 2021/645), apply in relation to Great Britain:

- Council Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora by regulating trade therein;
- Commission Regulation (EC) No. 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No. 338/97;
- Commission Implementing Regulation (EU) No. 792/2012 of 23 August 2012 laying down rules for the design of permits, certificates and other documents provided for in Council Regulation

(EC) No. 338/97 on the protection of species of wild fauna and flora by regulating the trade therein and amending Regulation (EC) No. 865/2006; and

- Commission Implementing Regulation (EU) No. 2019/1587 prohibiting the introduction into the Union of specimens of certain wild fauna and flora.

The EU Wildlife Trade Regulations (EUWTR) will continue to apply to the UK in respect of Northern Ireland.

EUWTR (UK(NI)):

- Council Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora by regulating trade therein (as last amended by Commission Regulation (EU) 2021/2280);
- Commission Regulation (EC) No. 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 (as last amended by Commission Regulation (EU) No 2021/2280);
- Commission Implementing Regulation (EU) No. 792/2012 laying down rules for the design of permits, certificates and other documents provided for in Council Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora by regulating the trade therein and amending Regulation (EC) No. 865/2006 (as amended by Commission Implementing Regulation (EU) 2021/2281); and
- Commission Implementing Regulation (EU) No. 2019/1587 prohibiting the introduction into the Union of specimens of certain wild fauna and flora.

UK domestic regulations:

- The Control of Trade in Endangered Species (Fees) Regulations 2009 (SI 2009/496).

The legislation specifies the species of plants and animals that are subject to licensing. To reflect amendments to CITES Appendices, these legislative lists of species are updated from time to time by amending legislation. That is done through a legislative process by the UK Government, under scrutiny of the UK Parliament, or in the case of EU legislation through relevant EU institutional legislative processes. Listing of species is therefore not left to administrative discretion. It is not possible to abolish the system without legislative approval.

Procedures

6. Not applicable.

7.(a) Permits should be applied for in good time to allow for their issue prior to import. The issuance of a permit is not automatic, and no movement should begin prior to obtaining a license.

(b) No, as above.

(c) No.

(d) Permits and certificates are issued by the UK CITES Management Authority, the Animal and Plant Health Agency (APHA), on advice from the relevant Scientific Authority. The UK CITES management authority may in some cases need to consult the relevant CITES authorities in the country from which a species is being exported, and only in very limited circumstances the CITES Secretariat may need to be consulted.

8. Applications for a license can only be refused where there is a failure in meeting the conditions set out by the Wildlife Trade Regulations. The UK CITES Management Authority will inform applicants of the reasons for any refusal to issue a licence. There is no right of appeal, but if further information or evidence can be provided the licensing authority may review the case or the applicant can make a new application.

Eligibility of importers to apply for license

9. Anyone can apply for a licence. There are no eligibility requirements and there is no system of registration of persons or firms permitted to engage in importation nor list of authorised importers.

Documentation and other requirements for application for license

10. The standard model forms that are used for all permits, certificates, notifications and applications for these documents, as well as labels for scientific specimens, are contained in Implementing Regulation (EU) No 792/2012 as it applies in Great Britain as retained EU law and as it applies in Northern Ireland directly (see section 5 above).

11. Different permits or certificates are required for trade into the UK:

- an import permit for import of specimens of Annex A or B listed species;
- an import notification for import of Annex C or D listed species, which is to be completed by the importer.

12. Applicants must pay a fee to obtain the relevant permits or certificates. This fee covers the cost of processing the application. The amount depends on the type of permit and the specimen applied for. Subject to meeting certain criteria, fees can be waived for imports of endangered species for conservation purposes (see UK domestic regulations listed in section 5).

13. The processing fee referenced in paragraph 12.

Conditions of licensing

14. The maximum validity of an import permit is 12 months. An import permit is only valid when supported with a valid corresponding document from the country of export or (re-)export (the maximum validity of those documents is six months).

15. There is no penalty for non-utilisation.

16. Licenses are not transferable.

17. Conditions can be attached to a license. For example, there are standard special conditions on import permits to ensure that live specimens are transported in line with CITES measures and Regulations published by the International Air Transport Association.

Other procedural requirements

18. There are no other administrative/procedural requirements prior to importation.

19. No foreign exchange control.

1.4 Items made of or containing Ivory

Outline of system

1. The Ivory Act (2018) applies to the import to the UK and export from the UK of items made of or containing elephant ivory which are intended to be dealt. Under the Ivory Act 'dealing in ivory' means to:

- buy, sell or hire it;
- offer or arrange to buy, sell or hire it;
- keep it for sale or hire;
- export it from the UK for sale or hire;
- import it into the UK for sale or hire.

The Ivory Act (2018) is regulated by the Animal and Plant Health Agency (APHA) on behalf of the Secretary of State for the Department of Environment, Food and Rural Affairs (Defra).

Purposes and coverage of registration and certification

2.(i) The Ivory Act (2018) prohibits the import and export of items made of or containing elephant ivory for the purposes of dealing those items, unless they fall within one of five exemptions.

There are four standard exemptions which require registration under Section 10 of the Act (Section 10):

- musical instruments made before 1975 with less than 20% ivory by volume
- items made before 3 March 1947 with less than 10% ivory by volume
- portrait miniatures made before 1918 with a surface area smaller than 320 square centimetres
- items that a qualifying museum intends to buy or hire

There is a separate exemption for which a certificate is required under Section 2 of the Act (Section 2) for items that are pre-1918 and of outstandingly high artistic, cultural or historical value.

- (ii) The Ivory Act (2018) does not affect the ownership of ivory and the import to the UK or export from the UK of ivory items for personal use.

3. The registration and certification requirement applies to all traders and individuals dealing in ivory items in the UK, including importing to or exporting from the UK for the purposes of dealing.

4. The purpose of the Act is to help conserve elephant populations, specifically by reducing poaching, through significantly limiting the legal market for ivory items in the UK. This is intended to reduce demand for ivory both within the UK and overseas through the application of the sales ban to re-exports of ivory items from the UK. The Act also aims to remove the opportunity to launder recently poached ivory as old ivory items through legal markets, and for it to be re-exported to "demand" markets, i.e., those markets where ivory continues to be a desirable commodity. Such markets are also the primary destinations for newly poached and illegally-sourced ivory. This is intended to prevent products from the UK contributing, including inadvertently, to markets which create a demand for ivory, driving poaching and the illegal trade in ivory. Finally, the ivory ban will demonstrate the UK does not consider commercial activities in any ivory that could fuel poaching to be acceptable and it sends a message that similar actions should be taken globally.

The Act received Royal Assent on 20 December 2018. It is a statutory requirement for a person to obtain the relevant exemption registration or certification before they deal in an item made of or containing elephant ivory. It is an offence to breach the prohibition, to cause the prohibition to be breached, or to facilitate a breach of the prohibition. A person who commits an offence under the Act may face a civil sanction or criminal prosecution. The only method of removing the requirement would be for Parliament to repeal the Act.

The Ivory Act 2018: <https://www.legislation.gov.uk/ukpga/2018/30/contents/enacted>.

There are two additional Statutory Instruments that accompany the Ivory Act:

- <https://www.legislation.gov.uk/uksi/2022/94/contents/made>; and
- <https://www.legislation.gov.uk/uksi/2022/311/contents/made>.

Procedures

6. The Act applies globally to all imports to the UK of ivory items that are intended to be dealt.

7.(a) Before an ivory item can be dealt (as defined in 1 above) the person must either have a valid registration number for the item or an exemption certificate. Items that are checked at the border and that do not have either of these will be seized. The registration documentation or exemption certificate are not required to be transported with the item. However, the registration number or exemption certificate reference may be required for CITES paperwork and customs forms. Customs officers can check whether items have the required exemption by contacting APHA.

- (b) (i) Registrations under a standard exemption (Section 10) are instantaneous. The applicant applies online and makes a self-declaration that the item is compliant. After making their declaration they are issued (emailed) immediately with the registration number.
- (ii) Applying for an exemption certificate to import a pre-1918 outstandingly high artistic, cultural or historical value item (Section 2) can take around 35 working days. This is because the item must be considered by a Prescribed Institution who will provide an

opinion as to whether the item meets the criteria for the exemption. APHA will then decide whether or not to issue an exemption certificate.

(c) Applications for a registration or exemption certificate can be made at any time.

8. Registrations that are checked and found to be non-compliant are cancelled by APHA and the item cannot be dealt.

For Section 2 items, the reasons for a refusal to issue an exemption certificate are given to the applicant. Applicants have the right to appeal the decision to the First-tier Tribunal under The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules (2009) (SI2009/1976).

Eligibility of Importers and Other Requirements for Application for registration or certification

10.(i) For registrations under Section 10, the applicant must:

- Add up to six photos of the item. They must include a photo of the whole item and any distinguishing features, including where the ivory is.
- Describe the item and how it meets the exemption criteria.
- Provide contact details.
- Declare that the item in their opinion meets the relevant exemption criteria
- Pay an administration fee of £20.

(ii) When applying for an exemption certificate under Section 2, the applicant must:

- Explain their reasons why the item meets the exemption criteria
- Include supporting documents that show an item's artistic, cultural or historic value
- Provide clear photographs of the item that shows any distinguishing features
- Provide contact details
- Pay an administration fee of £250.

Registrations/applications for exemption certificates are typically carried out using an online service. However, for accessibility purposes there are paper forms (attached) for registrations under Section 10 and applications under Section 2.

11. Before ivory items can be legally dealt a valid registration number or exemption certificate must have been issued for the item. The registration documentation or exemption certificate are not required to be transported with the item. However, the registration number or exemption certificate reference may be required for CITES paperwork and customs forms.

12. £20 to register an individual item under Section 10. £50 for a group registration under Section 10. This is for groups of 3 to 20 items that each individually meet the same exemption and form part of the same transaction (being sold or hired out to the same person). £250 to apply for an exemption certificate under Section 2.

13. No, the payment is made at the time of the application. It is non-refundable.

Conditions of registration or certification

14. Each time an item registered under Section 10 is sold or hired out, the owner or applicant will need to make a new registration and pay the registration fee. Items registered under Section 10 are exempt for one transaction. If the new owner wishes to deal the item they must make a new application to register that item.

Exemption certificates under Section 2 exist in perpetuity provided that the item continues to meet the condition of the exemption.

15. There is no penalty for non-utilisation of a registration or exemption certificate.

16.(i) For items registered under Section 10, the registration does not transfer from one owner to the next.

- (ii) An exemption certificate is issued for an item and is transferred to a new owner each time the item is dealt. The new owner must notify APHA of their contact details if their intention is to deal in the item. The new owner must:
- provide their contact details (including email address, if any);
 - if the applicant is not the owner, the applicant must provide the name and address of the owner;
 - confirm whether the item is going to be sold or hired (where this is known);
 - declare that the exemption certificate relates to the item that is going to be sold or hired
 - declare that the information on the exemption certificate remains accurate and complete
 - declare that the item continues to satisfy the conditions of being of outstandingly high artistic, cultural or historical value;
 - pay a £20 administration fee.

17. N/A

Other Procedural Requirements

18. Under the Ivory Act 2018 there are no other administrative/procedural requirements prior to importation.

19. No foreign exchange control.

1.5 Ozone-depleting substances

Outline of system

1. The import of ozone-depleting substances (ODS) is subject to licensing. In the context of the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on the substances that deplete the ozone layer, the Environment Agency issues ODS licences for imports into Great Britain based on applications submitted via the ODS quota, licensing and reporting system. Imports (as well as exports) of controlled substances, referred to hereby as ODS and products and equipment containing or relying on ODS are prohibited. However, there are exemptions to this prohibition. Below, the responses to the questionnaire focus on the procedures in place for the importation of controlled substances.

EU law is directly applicable in Northern Ireland under the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, signed in London and Brussels on 24 January 2020, which includes the Protocol on Ireland/Northern Ireland. Therefore, the European Commission issue ODS import and export licences on behalf of Northern Ireland. For further information on how to apply for ODS licences for Northern Ireland, please refer to the questionnaire on import licensing procedures for the European Union.

Licensing System:

A licence is required in case of import or export of ODS. Licences are issued by the Environment Agency through the use of webforms hosted on the UK Government website, <https://www.gov.uk/government/collections/ozone-depleting-substances-guidance-for-users-producers-and-traders>. An undertaking applies for the licence using a webform, the Environment Agency process their applications and issues a licence via email. A licence is required for the import or export of the substance itself, a mixture containing ODS and a product or equipment containing or relying on ODS.

The rules on the import of controlled substances or of products and equipment containing or relying on controlled substances, including licensing, are outlined in Article 15 of Regulation (EC) 1005/2009 as it applies in Great Britain as retained EU law, and as it applies in Northern Ireland directly. Annex I of the Regulation outlines the controlled substances subject to licensing, and Annex II are those that are exempt from licensing.

The licensing requirement does not apply in rare cases when the ODS goods are imported for no longer than 45 days and are not presented for release for free circulation, destroyed or processed before subsequent re-export. Four customs procedures are exempted from the licensing requirement under the 45-day re-export rule.

The customs procedures exempted under the 45-day re-export rule are:

- Transit;
- Temporary storage;
- Customs warehousing;
- Free zone procedure.

The European Commission allocate ODS licences for Northern Ireland. For further information on how to apply for ODS licences for Northern Ireland, please refer to the questionnaire on import licensing procedures for the European Union.

Purposes and coverage of licensing

2. The following goods are covered by the ODS licensing system:

Substances (ODS)	CN/TARIFF code
CFC-11	2903 77 60
CFC-12	2903 77 60
CFC-113	2903 77 60
CFC-113a	2903 77 60 10
CFC-114	2903 77 60
CFC-115	2903 77 60
CFC-13	2903 77 90 60
CFC-111	2903 77 90 15
CFC-112	2903 77 90 20
CFC-211	2903 77 90 25
CFC-212	2903 77 90 30
CFC-213	2903 77 90 35
CFC-214	2903 77 90 40
CFC-215	2903 77 90 45
CFC-216	2903 77 90 50
CFC-217	2903 77 90 55
Halon-1211	2903 76 10
Halon-1301	2903 76 20
Halon-2402	2903 76 90
Carbon tetrachloride	2903 14 00
1,1,1-trichloroethane	2903 19 00 10
Methyl bromide	2903 39 11
HBFC-21 B2	2903 79 30
HBFC-22 B1	2903 79 30
HBFC-31 B1	2903 79 30
HBFC-121 B4	2903 79 30
HBFC-122 B3	2903 79 30
HBFC-123 B2	2903 79 30
HBFC-124 B1	2903 79 30
HBFC-131 B3	2903 79 30
HBFC-132 B2	2903 79 30
HBFC-133 B1	2903 79 30
HBFC-133a B1	2903 79 30
HBFC-141 B2	2903 79 30
HBFC-142 B1	2903 79 30
HBFC-151 B1	2903 79 30
HBFC-221 B6	2903 79 30
HBFC-222 B5	2903 79 30
HBFC-223 B4	2903 79 30
HBFC-224 B3	2903 79 30
HBFC-225 B2	2903 79 30
HBFC-226 B1	2903 79 30
HBFC-231 B5	2903 79 30
HBFC-232 B4	2903 79 30

Substances (ODS)	CN/TARIFF code
HBFC-233 B3	2903 79 30
HBFC-234 B2	2903 79 30
HBFC-235 B1	2903 79 30
HBFC-241 B4	2903 79 30
HBFC-242 B3	2903 79 30
HBFC-243 B2	2903 79 30
HBFC-244 B1	2903 79 30
HBFC-251 B1	2903 79 30
HBFC-252 B2	2903 79 30
HBFC-253 B1 (CAS: 421-46-5)	2903 79 30
HBFC-253 B1 (CAS: 460-32-2)	2903 79 30
HBFC-261 B2	2903 79 30
HBFC-262 B1	2903 79 30
HBFC-271 B1	2903 79 30
HCFC-21	2903 79 30 90
HCFC-22	2903 71 00
HCFC-31	2903 79 30 90
HCFC-121	2903 79 30 90
HCFC-121a	2903 79 30 90
HCFC-122	2903 79 30 90
HCFC-123	2903 72 00
HCFC-123a	2903 72 00
HCFC-124	2903 79 30 90
HCFC-124a	2903 79 30 90
HCFC-131	2903 79 30 90
HCFC-132	2903 79 30 90
HCFC-133	2903 79 30 90
HCFC-133a	2903 79 30 90
HCFC-141	2903 73 00
HCFC-141b	2903 73 00
HCFC-142	2903 74 00
HCFC-142b	2903 74 00
HCFC-151	2903 79 30 90
HCFC-221	2903 79 30 90
HCFC-222	2903 79 30 90
HCFC-223	2903 79 30 90
HCFC-224	2903 79 30 90
HCFC-225	2903 75 00
HCFC-225ca	2903 75 00
HCFC-225cb	2903 75 00
Other perhalogenated derivatives (CAS: 75-61-6)	2903 78 00
HCFC-226	2903 79 30 90
HCFC-231	2903 79 30 90
HCFC-232	2903 79 30 90
HCFC-233	2903 79 30 90
HCFC-234	2903 79 30 90
HCFC-235	2903 79 30 90
HCFC-241	2903 79 30 90
HCFC-242	2903 79 30 90
HCFC-243	2903 79 30 90
HCFC-244	2903 79 30 90
HCFC-251	2903 79 30 90
HCFC-252	2903 79 30 90
HCFC-253	2903 79 30 90
HCFC-261	2903 79 30 90
HCFC-262	2903 79 30 90
HCFC-271	2903 79 30 90
Bromochloromethane	2903 79 30 20

Mixtures of substances containing ODS	CN /TARIFF code
Deuterium and compounds thereof; ...; mixtures and solutions containing these products	2845 90 10
Isotopes other than those of heading 2844; ...other, other	2845 90 90 90

Mixtures of substances containing ODS	CN /TARIFF code
Preparations and charges for fire-extinguishers ... for use in certain types of aircraft	3813 00 00
Preparations and charges for fire-extinguishers ... other	3813 00 00
Diagnostic or laboratory reagents ...; certified reference materials	3822 00 00
Mixtures containing chlorofluorocarbons (CFCs), whether or not containing (HCFCs), (PFCs) or (HFCs)	3824 71 00
Mixtures containing bromochlorodifluoromethane, bromotrifluoromethane or dibromotetrafluoroethanes (Halon)	3824 72 00
Mixtures containing hydrobromofluorocarbons (HBFCs)	3824 73 00
Mixtures containing hydrochlorofluorocarbons (HCFCs), ..., but not containing chlorofluorocarbons (CFCs)	3824 74 00
Mixtures containing carbon tetrachloride	3824 75 00
Mixtures containing 1,1,1-trichloroethane (methyl chloroform)	3824 76 00
Mixtures containing bromomethane (methyl bromide) or bromochloromethane	3824 77 00

Description	CN/TARIFF code
Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products, put up in forms or packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles, and fly- papers)- unlikely to contain ODS but <i>may contain methyl bromide</i>	3808 91 90
Rodenticides – <i>may contain methyl bromide</i>	3808 99 10
Rodenticides – <i>may contain methyl bromide</i>	3808 99 90

Products & equipment that may contain or rely on ODS	CN/TARIFF code
Medicaments (excluding goods of heading 3002, 3005 or 3006) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses (including those in the form of transdermal administration systems) or in forms or packings for retail sale: - Containing hormones or other products of heading 2937 but not containing antibiotics: -- Containing corticosteroid hormones, their derivatives or structural analogues	3004 32 00
- Other	3004 90 00
Paints and varnishes	All codes under: 3208, 3209, 3210
Pigments (including metallic powders and flakes) dispersed in non-aqueous media, in liquid or paste form, of a kind used in the manufacture of paints (including enamels); stamping foils; dyes and other colouring matter put up in forms or packings for retail sale: - other	3212 90 00
Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti- corrosion preparations and mould- release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals: - Containing petroleum oils or oils obtained from bituminous minerals: -- Preparations for the treatment of textile materials, leather, furskins or other materials	3403 11 00
- Other -- Preparations for the treatment of textile materials, leather, furskins or other materials	3403 91 00
Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers:	3814 00 90
Fireproofing, waterproofing and similar protective preparations used in the building industry	3824 90 70
Municipal waste	3825 10 00
Residual products of the chemical or allied industries, not elsewhere specified or included; municipal waste; sewage sludge; other wastes specified in note 6 to this chapter: - Waste organic solvents - Halogenated	3825 41 00

Products & equipment that may contain or rely on ODS	CN/TARIFF code
Other plates, sheets, film, foil and strip, of plastics:	3921 11 00
- Cellular	
-- Of polymers of styrene	
-- Of polymers of vinyl chloride	3921 12 00
-- Of polyurethane	3921 13 10
--- Flexible	
-- Of polyurethane	3921 13 90
--- Other	
-- Of regenerated cellulose	3921 14 00
-- Of other plastics	3921 19 00
Air-conditioning machines comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	All codes under: 8415
Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air-conditioning machines of heading 8415	All codes under: 8418
Machinery for liquefying air or other gases	8419 60 00
Mechanical appliances... - Fire extinguishers, whether or not charged - for use in civil aircraft	8424 10 00
Mechanical appliances... - Fire extinguishers, whether or not charged - other	8424 10 00
Mechanical appliances ... fire extinguishers... - Parts	8424 90 80
Dry cleaning machines	8451 10 00
Tanks and other armoured fighting vehicles, motorised, whether or not fitted with weapons, and parts of such vehicles	8710 00 00
Automatic goods-vending machines	8476 21 00
- Automatic beverage-vending machines	
-- Incorporating heating or refrigerating devices	
- Other machines	8476 81 00
-- Incorporating heating or refrigerating devices	
- Parts	8476 90 00
Machinery for working rubber or plastics or for the manufacture of products from these materials, not specified or included elsewhere in this chapter:	8477 80 11
- Other machinery	
-- Machines for the manufacture of foam products	
--- Machines for processing reactive resins	
--- other	8477 80 19
Locomotives, passenger coaches, service vehicles, or goods vans and wagons of all kinds	All codes under: 8601, 8602, 8603, 8604, 8605, 8606, 8607
Containers (including containers for the transport of fluids) specially designed and equipped for carriage by one or more modes of transport	8609 00 90
- Other	
Tractors, motor vehicles, motor cars	All codes under: 8701, 8702, 8703, 8704, 8705
Parts and accessories of the motor vehicles of headings 8701 to 8705	All codes under: 8708
Works trucks	All codes under: 8709
Trailers and semi-trailers	All codes under: 8716
Other aircraft... helicopters... of an unladen weight not exceeding 2,000 kg	8802 11 00
Other aircraft... helicopters... of an unladen weight exceeding 2,000 kg	8802 12 00
Other aircraft... aeroplanes... of an unladen weight not exceeding 2,000 kg	8802 20 00
Other aircraft... aeroplanes... of an unladen weight exceeding 2,000 kg but not exceeding 15,000 kg	8802 30 00
Other aircraft... aeroplanes of an unladen weight exceeding 15,000 kg	8802 40 00
Cruise ships, excursion boats and similar vessels principally designed for the transport of persons; ferry-boats of all kinds - seagoing	8901 10 10
Refrigerated vessels other than those of 8901 20 - seagoing	8901 30 10
Fishing vessels; factory ships and other vessels for ... fishery products - seagoing	8902 00 10
Yachts and other vessels for pleasure or sports; rowing boats and canoes, other than inflatable	8903 91 00
Motorboats, other than outboard motorboats	8903 92 00
Tugs and pusher craft	8904 00 00
Floating or submersible drilling or production platforms	8905 20 00

Products & equipment that may contain or rely on ODS	CN/TARIFF code
Warships	8906 10 00
Component parts of complete industrial plant in the framework of external trade (Commission Regulation EC No. 113/2010 of 9 February 2010)	9880 00

3. Country restrictions: The restriction under Article 20 (1) of Regulation (EC) 1005/2009 prohibits the import or export of ODS and of products and equipment containing or relying on ODS from any country not party to the Montreal Protocol.

4. In accordance with Article 16 of Regulation (EC) 1005/2009 (the ODS Regulation), ODS licences restrict the quantity and type of ODS that can be imported. Although import for activities outlined in Article 15(2) are allowed under the condition of a licence, this may be overruled by Article 20(1) prohibiting the import of controlled substances and of products and equipment containing or relying on controlled substances from any State not party to the Montreal Protocol.

ODS import/export licensing is required to comply with Article 4B of the Montreal Protocol on Substances that Deplete the Ozone Layer. Therefore, alternatives to import/export licensing have not been considered. A legislative review is underway, which may look at how the licensing system works in case improvements can be made. The ODS licensing system in Great Britain is operated under retained EU law, meaning the review will be the first opportunity by the UK to consider any changes.

5. Regulation (EC) 1005/2009 as it applies in Great Britain as retained EU law, and as it applies in Northern Ireland directly.

[Regulation \(EC\) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer \(recast\) \(Text with EEA relevance\) \(legislation.gov.uk\)](#)

[The Ozone-Depleting Substances and Fluorinated Greenhouse Gases \(Amendment etc.\) \(EU Exit\) Regulations 2019](#)

[The Ozone-Depleting Substances and Fluorinated Greenhouse Gases \(Amendment etc.\) \(EU Exit\) Regulations 2020](#)

Procedures

6. The following responses relate to ODS import and export licensing in Great Britain. For further information on how to apply for ODS licences in Northern Ireland, refer to the questionnaire on import licensing procedures for the European Union.

An importer must hold quota for the import of the ODS in the case of some imports.

In accordance with Article 16 of the ODS Regulation, imports for the following uses require quota:

- Essential laboratory and analytical uses;
- Feedstock uses;
- Process agent uses.

Importers must apply for the quantity of ODS they want to import and declare what they will use it for. A licence is granted if the quantity and use is permitted by ODS Regulation.

- I. During the year (usually around June) the Environment Agency publishes a notice on <https://www.gov.uk/guidance/applying-for-quota-to-import-or-produce-ozone-depleting-substances> about the quota procedure for the following year. The notice informs about the relevant details of the quota application process for the following year including the deadline for applying for quota. Registered entities, as well as trade bodies and associations are also informed via email when the quota window is opened and the relevant timescales. Importers and producers request quota for the period from 1 January to 31 December of the following year. The Environment Agency does not publish a list of GB ODS Quota holders. The rules relating to ODS are available at <https://www.gov.uk/government/collections/ozone-depleting-substances-guidance-for-users-producers-and-traders>.

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- II. Quota is determined on a yearly basis. The Environment Agency issue ODS licences with a validity period of 28 days. If an import/export falls outside the validity period, the organisation must apply for a new licence. Quota is allocated annually for the next calendar year.
 - III. The unused quota is not added to the next quota period. The Environment Agency notifies importers of the quantity and substance type of the ODS and the specific use for which the import has been applied for and authorised for the following year. The list of importers is provided to HMRC and to DEFRA on request. The Environment Agency works closely with customs and borders to track imports/exports to ensure there is sufficient quota for import/export.
 - IV. There is a two-month window where companies can apply for quota, however companies that are not registered on the ODS Quota, Licensing and Reporting System have 1 month to register from the opening of the quota window in order to apply for a licence and quota. Further information is published on <https://www.gov.uk/government/collections/ozone-depleting-substances-guidance-for-users-producers-and-traders>. Applications for licences can be made all year long. The Environment Agency must take a decision whether or not to issue a licence no later than 30 days after having received a complete application. In urgent cases the Environment Agency endeavours to process the licences upon request.
 - V. Applications for ODS licences are processed within a maximum 30 days. The Environment Agency will aim to process most applications between five-ten days. There is no statutory length for processing applications for quota. In practice, we aim to notify undertakings by the end of October what their quota will be for the following year.
 - VI. Exports cannot be undertaken until a licence has been granted. Undertakings should allow for a minimum of 30 days between applying for a licence and the period of importation opening.
 - VII. Licence applications on behalf of Great Britain are considered by a single administrative organisation, the Environment Agency.
 - VIII. The decision on how much quota an importer or producer receives is made in accordance with the quota allocation procedure for imports, which require quota as set out in article 16 of Regulation (EC) 1005/2009. The Environment Agency, Climate Change Trading and Regulatory Services ensure that total GB ODS quota and therefore organisations' GB quota does not exceed the limits imposed by the ODS Regulation for end uses that are subject to quantitative limits.
 - IX. No licences are issued automatically.
 - X. Not applicable.
 - XI. Not applicable
7. (a)-(d) Not applicable.

8. The reason for rejection is always provided by the Environment Agency via email and it is the failure to meet ordinary criteria. An application for a licence is rejected where the organisation does not hold quota, holds insufficient quota, does not hold quota for a substance/has not declared a need for this substance. A licence will also be rejected if the substance import/export is not in accordance with ODS regulations, i.e., a licensable import/export.

Eligibility of importers to apply for licence

9. Any undertaking which is defined as a natural or legal person can register on the ODS Quota, Licensing and Reporting System and after verification apply for ODS licences free of charge. The list of importers is not published. There is no obligation/requirement to publish the list.

Documentation and other requirements for application for license

10. The general content of a licence form is the following:

- Consignee;
- Country of destination;
- Consignor/ Exporter;
- Country of export;
- Customs of entry;
- Customs of import;
- Customs procedure;
- Commercial description;
- Substance name;
- Use;
- CN code;
- CAS-number;
- GROSS mass;
- NET mass;
- Number of units;
- Nature of substance.

11. No documents required.

12. There is no fee or charge.

13. There is no deposit or advance payment requirement associated with the issue of licences.

Conditions of licensing

14. Most import licences have a maximum validity of 28 days (seven days before and 21 days after the estimated date of import). In cases where this validity period exceeds the licensing year (before 1 January and after 31 December), the validity period is cut accordingly. The validity of the licence is also cut when the date of issue is less than seven days before the estimated date of import or if the licence is issued after that date.

Different rules apply to the validity period for the import licences for fire extinguishers containing halon for use on aircrafts. Such licence is valid from the day it is issued until the end of the calendar year for which it was issued. In cases where the application proceeds the licensing year (i.e., it is issued before 1 January), the validity period starts 1 January the following year.

15. There is no penalty for the non-utilization of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. Importers of ODS for laboratory and analytical uses may need to make a LABODS declaration to the Environment Agency (for Great Britain) or the European Commission (for Northern Ireland) and hold a valid LABODs number if they are importing ODS with the intent to supply to other labs.

Other procedural requirements

18. Not applicable.

19. Not applicable.

1.6 Fluorinated gases including hydrofluorocarbons (HFCs)

Outline of system

1. HFCs are, together with perfluorocarbons (PFCs) and sulphur hexafluoride (SF₆), a fluorinated greenhouse gas (F-gas). F-gases are powerful greenhouse gases, with a global warming effect up to 23,000 times greater than carbon dioxide (CO₂). HFCs are the most relevant F-gases from a climate perspective. As a signatory of the Kigali Amendment to the Montreal Protocol, the UK is committed to reduce our consumption of HFCs and to licence and report on them annually. Reducing emissions from F-gases is a part of UK's effort to implement the Paris Agreement under the United

Nations Framework Convention on Climate Change and achieve net zero greenhouse gas emissions by 2050. Companies must have a prior valid licence registration to import and export F-gases. Further, for import of bulk HFCs it is a requirement that the quantity of HFCs placed on the market (e.g., import released for free circulation) are covered by quota on an annual basis. Importers and exporters of HFCs to and from Great Britain must register with the Environment Agency in the Great Britain quota system. Importers and exporters to and from Northern Ireland must register with the European Commission in the European Union quota system.

In addition, importers placing on the market refrigeration, air conditioning and heat pump equipment charged with HFCs must also be registered and the quantities of HFCs must be accounted for within the quota system at the time of import. This must be documented, and a declaration of conformity must be drawn up in this respect.

Also, the placing on the market of certain products and equipment containing F-gases with a certain global warming potential are prohibited and the placing on the market of non-refillable containers of fluorinated gases is forbidden. Equipment, products, and containers with F-gases must be labelled appropriately. F-gases and HFC guidance is available at <https://www.gov.uk/government/collections/fluorinated-gas-f-gas-guidance-for-users-producers-and-traders>.

The replies below focus on the procedures in place for import of bulk HFCs and HFCs imported in refrigeration, air conditioning and heat pump equipment pre-charged with HFCs. Under the Northern Ireland Protocol, EU Regulation No. 517/2014 on Fluorinated greenhouse gases is directly applicable in Northern Ireland. For further information on the procedures in place in Northern Ireland, please refer to the questionnaire on import licensing procedures for the European Union, *Fluorinated gases including hydrofluorocarbons (HFCs)*.

The F-gas registration, quota and reporting service implements the requirements related to HFCs under the Montreal Protocol on the substances that deplete the ozone layer, and in particular its Kigali Amendment that added HFCs to the list of controlled substances and agreed to a global phasedown of production and consumption of HFCs and required the implementation of a licensing system for import and export of HFCs.

Purpose and coverage of licensing

2. The following HFC's are listed in Annex I, Section 1, of the F-gas Regulation (Bulk Gases):

Substances (HFCs)	CN/TARIFF code
difluoromethane (HFC-32)	2903420000
Trifluoromethane (HFC-23)	2903410000
pentafluoroethane (HFC-125)	2903440010
1,1,1-trifluoroethane (HFC-143a)	2903440020
1,1-difluoroethane (HFC-152a)	2903430030
1,1,1,2-tetrafluoroethane	2903450000
Other	2903450010
1,1,1,3,3-Pentafluoropropane (HFC-245fa)	2903470020
1,1,2,2,3-pentafluoropropane (HFC-245ca)	2903470000
1,1,1,2,3,3,3-heptafluoropropane (HFC-227ea)	2903460010
1,1,1,2,2,3-hexafluoropropane (HFC-236cb)	2903460020
1,1,1,2,3,3-hexafluoropropane (HFC-236ea)	2903460030
1,1,1,3,3,3-hexafluoropropane (HFC-236fa)	2903460040
Other HFC 236	2903460020
Fluoromethane (methyl fluoride) (HFC-41)<	2903430010
Fluoroethane (ethyl fluoride) (HFC-161)	2903499010
1,2-difluoroethane (HFC-152)	2903430020
1,1,1-trifluoroethane (HFC-143a)	2903440020
1,1,2-trifluoroethane (HFC-143)	2903440030
1,1,2,2-tetrafluoroethane (HFC-134)	2903450020
1,1,1,2,2,3,4,5,5-decafluoropentane (HFC-43-10mee)	2903480020
1,1,1,3,3,3-pentafluorobutane (HFC-365mfc)	2903480010
HFC365 derivative	2903480010
Containing only 1,1,1-trifluoroethane and pentafluoroethane	3827620010

Substances (HFCs)	CN/TARIFF code
R507A (containing 50% of pentafluoroethane (HF C-125) and 50% of 1,1,1-trifluoroethane (HFC-143a))	3827610010
Other	3827610090
1,1,1-trifluoroethane, pentafluoroethane and 1,1,1,2-tetrafluoroethane	3827630015
R404A (containing 52% of 1,1,1-trifluoroethane (HFC-143a), 44% of pentafluoroethane (HFC-125) and 4% of 1,1,1,2-tetrafluoroethane (HFC-134 a))	3827610020
Other	3827610090
Containing only difluoromethane and pentafluoroethane	3827620030
R410A (containing 50% of pentafluoroethane (HFC-125) and 50% of difluoromethane (HFC-32))	3827630020
Other	3827630029
Mixtures containing halogenated derivatives of methane, ethane or propane- Containing only difluoromethane, pentafluoroethane and 1,1,1,2-tetrafluoroethane	3827620040
R407A (containing 40% of pentafluoroethane (HFC-125), 40% of 1,1,1,2-tetrafluoroethane (HFC-134a) and 20% of difluoromethane (HFC-32))	3827630030
R407C (containing 52% of 1,1,1,2-tetrafluoroethane (HFC-134a), 25% of pentafluoroethane (HFC-125) and 23% of difluoromethane (HFC-32))	3827640020
R407F (containing 40% of 1,1,1,2-tetrafluoroethane (HFC-134a), 30% of difluoromethane (HFC-32) and 30% of pentafluoroethane (HFC-125))	3827640021
R407H (containing 52.5% of 1,1,1,2-tetrafluoroethane (HFC-134a), 32.5% of difluoromethane (HFC-32) and 15% of pentafluoroethane (HFC-125))	3827640022
Other	3827640029
Mixtures containing halogenated derivatives of methane, ethane or propane- Containing unsaturated hydrofluorocarbons.	3827650020
R448A (containing 26% of difluoromethane (HFC-32), 26% of pentafluoroethane (HFC-125), 21% of (HFC- 1,1,1,2-tetrafluoroethane 134a), 20% of 2,3,3,3-tetrafluoropropene (HFC-1234yf) and 7% of 1,3,3,3-tetrafluoropropene (HFC-1234ze)	3827650020
R449A (containing 25.7% of 1,1,1,2-tetrafluoroethane (HFC-134a), 25.3% of 2,3,3,3-tetrafluoropropene (HFC-1234yf), 24.7% of pentafluoroethane (HFC-125) and 24.3% of difluoromethane (HFC-32))	3827650021
R450A (containing 58% of 1,3,3,3-tetrafluoropropene (HFC-1234ze) and 42% of 1,1,1,2-tetrafluoroethane (HFC-134a))	3827690010
R452A (containing 59% of pentafluoroethane (HFC-125), 30% of 2,3,3,3-tetrafluoropropene (HFC-1234yf) and 11% of difluoromethane (HFC-32))	3827630040
R452B (containing 67% of difluoromethane (HFC-32), 26% of 2,3,3,3-tetrafluoropropene (HFC-1234yf) and 7% of pentafluoroethane (HFC-125))	3827680010
R455A (containing 75.5% of 2,3,3,3-tetrafluoropropene (HFC-1234yf), 21.5% of difluoromethane (HFC-32) and 3% of carbon dioxide)	3827680020
R513A (containing 56% of 2,3,3,3-tetrafluoropropene (HFC-1234yf) and 44% of 1,1,1,2-tetrafluoroethane (HFC-134a))	3827690011
R514A (containing 74.7% of 1,1,1,4,4,4-hexafluoro-2-butene (HFC-1336mzz) and 25.3% of trans-1,2-dichloro-ethylene)	3827690012
Other	3827690019
Suspensions	3827690090
R508A (containing 61% of hexafluoroethane (perfluoroethane) (PFC-116) and 39 % of trifluoromethane (fluoroform) (HFC-23))	3827510010
R508B (containing 54% of hexafluoroethane (perfluoroethane) (PFC-116) and 46 % of trifluoromethane (fluoroform) (HFC-23))	3827510020
R422D (containing 65.1% of pentafluoroethane (HFC-125), 31.5% of 1,1,1,2-tetrafluoroethane (HFC-134a) and 3.4% of isobutane)	3827620050
R417A (containing 50% of 1,1,1,2-tetrafluoroethane (HFC-134a), 46.6% of pentafluoroethane (HFC-125) and 3.4% of isobutane)	3827630090
R419A (containing 77% of pentafluoroethane (HFC-125), 19% of 1,1,1,2-tetrafluoroethane (HFC-134a), and 4% of dimethyl ether (R-E170))	3827620060
Containing only 1,1,1,3,3-pentafluorobutane (HFC-365mfc) and 1,1,1,2,3,3,3-heptafluoropropane (HFC-227ea)	3827680030
Containing only 1,1,1,3,3-pentafluorobutane (HFC-365mfc) and 1,1,1,3,3-pentafluoropropane (HFC-245fa)	3827680040
Other	3827680090

Pre-charged equipment

The commodity codes relevant to this category are:

Air-conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated (pre-charged with HFCs).

Pre-charged with HFCs CN/TARIFF code	
Of a kind designed to be fixed to a window, wall ceiling or floor, self-contained or split system	8415101010
Split system	8415109010
Of a kind used in motor vehicles	8415200010
Other	8415810091
Other incorporating a refrigeration unit	8415820091
Parts	8415900099

Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air-conditioning machines of heading 8415 (pre-charged with HFCs).

Pre-charged with HFCs CN/TARIFF code		
Combined Fridge Freezers, fitted with separate external doors	Of a capacity exceeding 340 litres	8418102091
	Other	8418108091
Refrigerators, household type	Of a capacity exceeding 340 litres	8418211010
	Table model	8418215110
	Building in type	8418215910
	Other of a capacity not exceeding 250 litres	8418219110
	Exceeding 205 but not exceeding 340 litres	8418219910
	Other	8418290010
	Other	8418290010
Freezers of chest type, not exceeding 800 litres capacity	Of a capacity not exceeding 400 litres	8418302091
	Of a capacity exceeding 400 litres but not exceeding 800 litres	8418308091
Freezers of the upright type, not exceeding 900 litres capacity.	Of a capacity not exceeding 250 litres	8418402091
	Of a capacity exceeding 250 litres but not 900 litres	8418408091
Other furniture (chests, cabinets, display counters, showcases and the like) for storage and display, incorporating refrigerating or freezing equipment	Refrigerated showcases and counters (incorporating a refrigerating unit or evaporator)- For frozen food storage	8418501110
	Refrigerated showcases and counters (incorporating a refrigerating unit or evaporator)- Other	8418501910
	Other refrigerating furniture	8418509010
	Other	8418509010
Other refrigerating or freezing equipment; heat pumps	Heat pumps other than air conditioning machines of heading 8415	8418610091
	Other	8418690091
Parts	Evaporator composed of aluminium fins and a copper coil of the kind used in refrigeration equipment	8418991000
	Condenser composed of two concentric copper tubes of the kind used in refrigeration equipment	8418991000
	Other	8418991081
	Of refrigerating equipment adapted to the air-conditioning system, for use in certain types of aircraft	8418999099

3. Only Members of the Montreal Protocol and Kigali Amendment.

4. Undertakings can be United Kingdom (UK) and non-UK organisations. Non-UK undertakings must nominate an Only Representative established in the United Kingdom for the purpose of compliance with the requirements of the F-gas Regulation in Great Britain. Undertakings not based in Northern Ireland, or the European Union must establish an Only representative in Northern Ireland or the European Union for the purpose of compliance with the F-gas Regulation in Northern Ireland.

5. Legal basis:

- Regulation (EU) 517/2014 as it applies in Great Britain as retained EU law, and as it applies in Northern Ireland directly.

- [The Ozone-Depleting Substances and Fluorinated Greenhouse Gases \(Amendment etc.\) \(EU Exit\) Regulations 2019](#)
- [The Ozone-Depleting Substances and Fluorinated Greenhouse Gases \(Amendment etc.\) \(EU Exit\) Regulations 2020](#)

Procedures:

6. The following responses relate to the import and export of F-gases (including HFCs) in Great Britain. For further information for Northern Ireland, please refer to the questionnaire on import licensing procedures for the European Union.

Guidance on procedures for quota allocation and licences can be found on: <https://www.gov.uk/government/collections/fluorinated-gas-f-gas-guidance-for-users-producers-and-traders>.

Article 15, a, b & c of the F-gas Regulation establishes the quota requirements regarding bulk HFCs.

The quota requirement does not apply to quantities of less than 100 tonnes of CO₂ equivalent of HFC per year and also not to the following categories of HFCs:

- a. imported for destruction;
- b. used by a producer as feedstock;
- c. supplied directly by a producer or an importer to undertakings, for export where those HFCs are not subsequently made available to any other party to export;
- d. supplied directly by a producer or an importer for use in military equipment;
- e. supplied directly by a producer or an importer to an undertaking using it for the etching of semiconductor material or the cleaning of chemicals vapour deposition chambers within the semiconductor manufacturing sector;
- f. supplied directly by a producer or an importer to an undertaking producing metered dose inhalers for the delivery of pharmaceutical ingredients.

However, registration requirements remain for companies importing for the exempted uses listed above (except for the amounts <100t CO₂).

- I. Reference values for the quota allocation are calculated every 3 years and the quota updated annually based on any requests for additional quota. The names of the undertakings with a quota reference value are publicly available, by request to the Environment Agency, whereas the values are commercially confidential.

Each year (usually in June) the Environment Agency publishes guidance on GOV.UK about the annual quota procedure for the following year. The notice informs about the relevant details of the quota application process including the deadlines. The Environment Agency updates guidance on quota applications and allocations annually, with the quota window usually opening around 30 June and closes on 31 August every year. The Environment Agency will calculate the quotas of applicants by the end of October.

Companies report on quantities imported and exported by 31 March in the year following the activity. Companies report to the Environment Agency using reporting forms on GOV.UK. The reporting format is specified in Regulation (EU) 517/2014 as it is retained in Great Britain and as it applies in Northern Ireland directly.

- II. Quota is issued on a yearly basis. It is based on the account amounts of HFC each company has historically placed on the market (tri-annual reference values) since 2015 and annual declarations made regarding the intention to place additional HFCs on the market. The quotas are calculated in accordance with the phase-down schedule in Annex V Regulation (EU) 517/2014 Regulation and by applying an allocation mechanism laid down in Annex VI to Regulation (EU) 517/2014 (the F-gas Regulation).

Undertakings that have not historically placed HFCs on the market ("new entrants") may apply for quota from the new entrant reserve (11% of the total quota allocation) by registering with the Environment Agency on the F-gas registration, quota and reporting service and declaring their intention to place HFCs on the market the following year. New entrant quota is allocated

pro rata between all eligible applicants. After three years, new entrants are allocated a reference value and become incumbent quota holders.

Pursuant to Article 16 of the F-gas Regulation, the quotas of HFCs are allocated to the undertakings annually by the Environment Agency based on a system that takes into account amounts historically placed on the market by certain companies and declarations made by any undertaking intending to place HFCs on the market. The phase-down steps are defined in accordance with Annex V of the F-gas Regulation and the mechanism to calculate the size of the quotas is laid down in Annex VI.

- III. Unused quota is valid only for the year it is allocated and can only be used for either import or production. Quota can be transferred to another bulk quota holder, authorised to an equipment importer, and subsequently delegated to further equipment importers. The names of the undertakings with a quota are publicly available, by request to the Environment Agency, whereas the values are commercially confidential.
- IV. The validity of the registration on the F-gas registration, quota and reporting service is in principle time unlimited. The timeframe for the registration can vary depending on information provided by the company but is usually completed within 20 working days if the provided information is accurate and complete. Companies must be registered before they can get a quota.
- V. Min and max length of registry requests – one day to a few months – depending on completeness and accurateness of information provided. Registration in the F-gas registration, quota and reporting service can happen all year long. Applications for quota can only be made during a declaration period to be determined annually by the Environment Agency and published in a notice on GOV.UK each year.
- VI. Import may only occur when a company has enough quota after having been registered to import. Hence, it is the annual quota allocation cycle that is decisive. Usually, the declaration deadline is in June/July in the year preceding the year where the quota is becoming valid.
- VII. The Environment Agency is the single administrative organisation involved in the process.
- VIII. Quota is allocated based on historic amounts placed on the market (tri-annual reference value) since 2015 and annual declarations on the intention to place on the market. For undertakings that have not historically placed HFCs on the market ("new entrants"), quota is allocated on a pro rata basis. See Article 16 and Annex VI of the F-gas Regulation.
- IX. Not applicable
- X. Not applicable.
- XI. Not applicable.

7. Not applicable.

8. Companies that meet the ordinary criteria set out in Regulation (EU) 517/2014 and are registered. The Environment Agency may refuse, suspend or cancel a registration if the criteria are not fulfilled. Incomplete applications or incorrect information supplied to the Environment Agency would result in an inability to register an organisation and applicant would be advised as necessary. There is no right of appeal set out in legislation. Applicants can complain against the decision to the EA.

Eligibility of importers to apply for licence

9. An undertaking that constitutes a natural or legal person can request registration in the F-gas System. Undertakings registered to import HFCs in bulk can, after validation, apply for HFC quota.

Registration is compulsory for the following:

- a. producers and importers to which a quota for the placing on the market of hydrofluorocarbons has been allocated in accordance with Article 16(5);

- b. undertakings to which a quota is transferred in accordance with Article 18;
- c. producers and importers declaring their intention to submit a declaration pursuant to Article 16(2);
- d. producers and importers supplying, or undertakings in receipt of hydrofluorocarbons for the purposes listed in points (a) to (f) of the second subparagraph of Article 15(2);
- e. importers of equipment placing pre-charged equipment on the market where the hydrofluorocarbons contained in the equipment have not been placed on the market prior to the charging of that equipment in accordance with Article 14;
- f. any undertaking importing fluorinated gases needs to be registered before undertaking such activities in accordance with Article 19.

This service is free of charge.

The list of companies with quota reference values is published on GOV.UK by the Environment Agency. For Northern Ireland, the European Union publishes the details of the quota holders.

Companies intending to import in bulk or import refrigeration, air conditioning and heat pump equipment charged with HFCs can request registration (licence) in the registry. The detailed requirements for registrations are laid down in Regulation (EU) 517/2014 and, Implementing Regulation 2019/661 as they are retained in Great Britain and as they apply in Northern Ireland directly.

Articles 17 and 19 of Regulation (EU) 517/2014 imposes an obligation for actors in the HFCs market in Great Britain to register with the Environment Agency on the F-gas registration, quota and reporting service, and in Northern Ireland with the European Commission. In Great Britain, companies register by using webforms on GOV.UK and this information is stored in a spreadsheet operated by the Environment Agency. Only companies with a prior valid registration can import and export HFCs into and from Great Britain. For further information on the procedures in place in Northern Ireland, please refer to the questionnaire on import licensing procedures for the European Union, *Fluorinated gases including hydrofluorocarbons (HFCs)*.

Documentational and other requirements for application for licence

10. The general information requirements for a registration licence is laid down in Regulation (EU) 517/2014 as it is retained in Great Britain and as it applies in Northern Ireland directly.

For undertakings established in the United Kingdom (UK)

- a. name and legal form of the undertaking;
- b. full address;
- c. telephone number;
- d. VAT number;
- e. Economic Operators Registration and Identification (EORI) number;
- f. the full name of one contact person;
- g. a description of the undertaking's business activities;
- h. written confirmation of the undertaking's intention to register in the registry signed by a beneficial owner or employee of the undertaking;
- i. bank account details – and validated.

For undertakings established outside the UK and that have mandated a single representative as referred to in Article 16(5) of Regulation (EU) 517/2014 (the F-gas Regulation).

- a. the information listed in points (a), (b) and (c) above;
- b. the information listed in points (d), (e) and (i) above, but with respect to the Only Representative rather than the undertaking;
- c. the full name of one contact who satisfies the conditions in points f) (i) and (ii) above, and an individual electronic address used for professional purposes by that person;
- d. an electronic address for the Only Representative;
- e. a description of the undertaking's business activities;
- f. the written confirmation listed in point (h) above but signed additionally by a beneficial owner or employee of the only representative.

11. Upon importation of bulk HFCs no additional documents are required. Upon importation of refrigeration, air conditioning and heat pump equipment charged with HFCs, a declaration of conformity is required from equipment importers.

Article 14 of the F-gas Regulation establishes the requirements related to the placing on the market of refrigeration, air conditioning and heat pump equipment charged with HFCs *inter alia* the link to the quota system and the declaration of conformity to this end. These conditions apply to all placing on the market, including for imported equipment released for free circulation. The purpose of this provision is to safeguard the environmental integrity of the phase-down of bulk HFCs.

Normal customs procedures apply.

12. Any undertaking which is defined as natural or legal person can register on the F-gas registration, quota and reporting service after verification. This service is free of charge.

13. No deposit or advanced payment is required.

Conditions of licensing and quota allocation

14. Registration licence is valid until cancelled by the Environment Agency (or European Commission in respect of Northern Ireland) or the company. Bulk quotas are valid only for the year for which they are allocated.

15. There is no penalty for unused licences or quota. Undertakings that have exceeded their quota are allocated a reduced quota allocation for the allocation period after the excess has been detected. The amount of reduction is calculated as 200% of the amount by which the quota was exceeded.

16. According to Article 18 of Regulation (EU) 517/2014 bulk quota allocated can be transferred to other bulk importers or producers. Only the part of quota based on reference values can be transferred. The part based on declarations cannot be transferred. This is to prevent declarations for quota with the sole purpose of selling the quota.

17. Not applicable.

Other procedural requirements

18. Not applicable.

19. Not applicable.

1.7 Harvested Timber

Outline of system

1. The FLEGT (Forest Law Enforcement, Governance and Trade) licensing scheme is a voluntary scheme to ensure that only legally harvested timber is imported into the UK from countries with which the UK concludes bilateral FLEGT Voluntary Partnership Agreements (VPAs). Under the scheme a partner country issues FLEGT licences for every shipment of timber products covered by the agreement exported to the UK. The release for free circulation in the UK of such shipments is conditional on the acceptance by the UK competent authority of the FLEGT licence. The competent authority may verify the authenticity of the FLEGT licence and its conformity with the shipment that it covers.

Purpose and coverage of licensing

2. Timber products (defined in the Agreements by HS codes) exported from FLEGT partner countries to the UK are covered by a FLEGT licence issued by the licensing authority of that country. The FLEGT licence demonstrates that the timber products have complied with relevant legislation as set out in the corresponding bilateral FLEGT VPAs. Once operational, the implementation of the licensing scheme requires that imports of relevant timber products into the UK be made subject to a system of checks and controls so that only FLEGT licensed timber will be imported to the UK.

Timber products to which the FLEGT licensing scheme applies irrespective of the partner country:

Product Description	HS code
Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared	4403
Railway or tramway sleepers (cross-ties) of wood	4406
Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm	4407
Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for other similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed, of a thickness not exceeding 6mm	4408
Plywood, veneered panels and similar laminated wood	4412

Timber products to which the FLEGT licensing scheme applies only in relation to the Republic of Indonesia:

Product description	HS Code
Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms; wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms. - Wood in chips or particles -- coniferous - Wood in chips or particles -- non coniferous (not from bamboo nor rattan)	4401.21 Ex. 4401.22
Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared. (Prohibited from export under the Indonesian law. In line with Article 3(3) of the VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the United Kingdom).	4403
Chipwood and the like - coniferous Chipwood and the like - non-coniferous -- Chipwood	Ex. 4404.10 Ex. 4404.20
Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed, but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like. (Prohibited from export under the Indonesian law. In line with Article 3(3) of the VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the United Kingdom).	Ex. 4404
Railway or tramway sleepers (cross-ties) of wood. (Prohibited from export under the Indonesian law. In line with Article 3(3) of the VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the United Kingdom).	4406
Wood sawn or chipped lengthwise, sliced or peeled, planed, sanded or end-jointed, of a thickness exceeding 6mm.	Ex. 4407
Wood sawn or chipped lengthwise, sliced or peeled, not planed, not sanded or not end-jointed, of a thickness exceeding 6mm. (Prohibited from export under the Indonesian law. In line with Article 3(3) of the VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the United Kingdom).	Ex. 4407
Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed, of a thickness not exceeding 6 mm Coniferous	4408.10
Dark Red Meranti, Light Red Meranti, and Meranti Bakau	4408.31
Other, except coniferous, Dark Red Meranti, Light Red Meranti, and Meranti Bakau	4408.39
Other, except coniferous and tropical wood specified in Subheading Note 2 to this chapter (not from bamboo nor rattan)	Ex. 4408.90
Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges, ends or faces, whether or not planed, sanded or end-jointed. - Coniferous - - Non-coniferous - other (not from rattan)	4409.10 Ex. 4409.29
Particle board, oriented strand board (OSB) and similar board (for example, waferboard) of wood or other ligneous materials, whether or not agglomerated with resins or other organic binding substances - Of wood -- Particle board (not from bamboo nor rattan)	Ex. 4410.11
- Of wood -- Oriented strand board (OSB) (not from bamboo nor rattan)	Ex. 4410.12
Of wood -- Other (not from bamboo nor rattan)	Ex. 4410.19
Fibreboard of wood or other ligneous materials, whether or not bonded with resins or other organic substances (not from bamboo nor rattan)	Ex. 4411
Plywood, veneered panels and similar laminated wood - Other plywood, consisting solely of sheets of wood (other than bamboo), each ply not exceeding 6mm thickness: -- With at least one outer ply of tropical wood specified in Subheading Note 2 to this Chapter	4412.31
- Other plywood, consisting solely of sheets of wood (other than bamboo), each ply not exceeding 6mm thickness: -- Other, with at least one outer ply of non-coniferous wood	4412.32

Product description	HS Code
- Other plywood, consisting solely of sheets of wood (other than bamboo), each ply not exceeding 6mm thickness: -- Other	4412.39
- Other: -- Blockboard, laminboard and battenboard (not from rattan)	Ex. 4412.94
- Other: -- Other: --- Barecore (wood waste glued together) (not from rattan) and --- Other (not from rattan)	Ex. 4412.99
Densified wood, in blocks, plates, strips or profile shapes (not from bamboo nor rattan)	Ex. 4413
Wooden frames for paintings, photographs, mirrors or similar objects (not from bamboo nor rattan)	Ex. 4414
Packing cases, boxes, crates, drums and similar packings, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood (not from bamboo nor rattan)	Ex. 4415
Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves (not from bamboo nor rattan)	Ex. 4416
Tools, tool bodies, tool handles, broom or brush bodies and handles, of wood; boot or shoe lasts and trees, of wood (not from bamboo nor rattan)	Ex. 4417
Builders' joinery and carpentry of wood, including cellular wood panels, assembled flooring panels, shingles and shakes (not from bamboo nor rattan)	Ex. 4418
Tableware and kitchenware, of wood (not from bamboo and rattan)	Ex. 4419
Wood marquetry and inlaid wood; caskets and cases for jewellery or cutlery, and similar articles, of wood. - Other -- Wood in the form of logs or squared logs with simple process in the surface, carved or finely threaded or painted, does not have significant added-value and no significant change in shape (HS Ex. 4420.90.90.00 in Indonesia) (Prohibited from export under the Indonesian law. In line with Article 3(3) of the VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the United Kingdom).	Ex. 4420.90
Other articles of wood - Other -- Match splints (not from bamboo nor rattan) and -- Other --- Wooden paving blocks (not from bamboo nor rattan)	Ex. 4421.90
- Other -- Other --- Wood in the form of logs or squared logs with simple process in the surface, carved or finely threaded or painted, does not have significant added-value and no significant change in shape (HS Ex. 4421.90.99.00 in Indonesia) (Prohibited from export under the Indonesian law. In line with Article 3(3) of the VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the United Kingdom).	Ex. 4421.90
Chapter 47	
Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard: Mechanical wood pulp	4701
Chemical wood pulp, dissolving grades	4702
Chemical wood pulp, soda or sulphate, other than dissolving grades.	4703
Chemical wood pulp, sulphite, other than dissolving grades	4704
Wood pulp obtained by a combination of mechanical and chemical pulping processes	4705
Chapter 48	
Uncoated paper and paperboard, of a kind used for writing, printing or other graphic purposes, and non-perforated punch-cards and punch tape paper, in rolls or rectangular (including square) sheets, of any size, other than paper of heading 4801 or 4803; hand-made paper and paperboard (not from non-wooden nor recycled material)	Ex. 4802
Toilet or facial tissue stock, towel or napkin stock and similar paper of a kind used for household or sanitary purposes, cellulose wadding and webs of cellulose fibres, whether or not creped, crinkled, embossed, perforated, surface -coloured, surface-decorated or printed, in rolls or sheets (not from non-wooden nor recycled material)	Ex. 4803
Uncoated kraft paper and paperboard, in rolls or sheets, other than that of heading 4802 or 4803 (not from non-wooden nor recycled material)	Ex. 4804
Other Uncoated paper and paperboard, in rolls or sheets, not further worked or processed than as specify in Note 3 to this chapter (not from non-wooden nor recycled material)	Ex. 4805
Vegetable parchment, greaseproof papers, tracing papers and glassine and other glazed transparent or translucent papers, in rolls or sheets (not from non-wooden nor recycled material)	Ex. 4806
Composite paper and paperboard (made by sticking flat layers of paper or paperboard together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets (not from non-wooden nor recycled material)	Ex. 4807
Paper and paperboard, corrugated (with or without glued flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets, other than paper of the kind described in heading 4803 (not from non-wooden nor recycled material)	Ex. 4808
Carbon paper, self-copy paper and other copying or transfer papers (including coated or impregnated paper for duplicator stencils or offset plates), whether or not printed, in rolls or sheets (not from non-wooden nor recycled material)	Ex. 4809

Product description	HS Code
Paper and paperboard, coated on one or both sides with kaolin (China clay) or other inorganic substances, with or without binder, and with no other coating, whether or not surface-coloured, surface-decorated or printed, in rolls or rectangular (including square) sheets, of any size (not from non-wooden nor recycled material)	Ex. 4810
Paper, paperboard, cellulose wadding and webs of cellulose fibres, coated, impregnated, covered, surface-coloured, surface-decorated or printed, in rolls or rectangular (including square) sheets, of any size, other than goods of the kind described in heading 4803, 4809 or 4810 (not from non-wooden nor recycled material)	Ex. 4811
Filter blocks, slabs and plates, of paper pulp (not from non-wooden nor recycled material)	Ex. 4812
Cigarette paper, whether or not cut to size or in the form booklets or tubes (not from non-wooden nor recycled material)	Ex. 4813
Wallpaper and similar wall covering; window transparencies of paper (not from non-wooden nor recycled material)	Ex. 4814
Carbon paper, self-copy paper and other copying or transfer papers (other than those of heading 4809), duplicator stencils and offset plates, of paper, whether or not put up in boxes (not from non-wooden nor recycled material)	Ex. 4816
Envelopes, letter cards, plain postcards and correspondence cards, of paper or paper board; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery (not from non-wooden nor recycled material)	Ex. 4817
Toilet paper and similar paper, cellulose wadding or webs of cellulose fibres, of a kind used for household or sanitary purposes, in rolls of a width not exceeding 36 cm, or cut to size or shape; handkerchief, cleansing tissues, towels, tablecloths, serviettes, napkins for babies, tampons, bed sheets and similar household, sanitary or hospital articles, articles of apparel and clothing accessories, of paper pulp, paper, cellulose wadding or webs of cellulose fibres (not from non-wooden nor recycled material)	Ex. 4818
Paper or paperboard labels of all kinds, whether or not printed (not from non-wooden nor recycled material)	Ex. 4821
Bobbins, spools, cops and similar support of paper pulp, paper or paper board whether or not perforated or hardened (not from non-wooden nor recycled material)	Ex. 4822
Other paper, paperboard, cellulose wadding and webs cellulose fibres, cut to size or shape; other articles of paper pulp, paper, paperboard, cellulose wadding or webs of cellulose fibres (not from non-wooden nor recycled material)	Ex. 4823
<i>Note: Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.</i>	
Chapter 94	
Seats (other than those of heading 94.02), whether or not convertible into beds, and parts thereof	
- Other seats, with wooden frames: -- Upholstered	9401.61
- Other seats, with wooden frames: -- Other	9401.69
Other furniture and parts thereof	
- Wooden furniture of a kind used in offices	9403.30
- Wooden furniture of a kind used in the kitchen	9403.40
- Wooden furniture of a kind used in the bedroom	9403.50
- Other wooden furniture	9403.60
- Parts: -- Other (HS 9403.90.90 in Indonesia)	Ex. 9403.90
Prefabricated buildings	
- Other prefabricated buildings: -- Of wood (HS 9406.00.92 in Indonesia)	Ex. 9406.00
Chapter 97	
Original engravings, prints and lithographs.	
Wood in the form of logs or squared logs with simple process in the surface, carved or finely threaded or painted, does not have significant added-value and no significant change in shape (HS Ex. 9702.00.00.00 in Indonesia) (Prohibited from export under the Indonesian law. In line with Article 3(3) of the VPA, products 25 under this HS code may not be FLEGT licensed and therefore may not be imported into the United Kingdom).	Ex. 9702.00

3. FLEGT licensing scheme will be operational between the UK and Indonesia.

4. The FLEGT licensing system has been put in place so that countries exporting to the UK can demonstrate that their exports of timber products to the UK are from legal sources. The scheme does not impose any restrictions neither in terms of quantity nor in terms of volumes to the imported goods. While the CITES Convention regulates trade in endangered species, including certain timber species, it does not cover the bulk of the timber trade. In the light of public concerns about imports of illegally harvested timber and the negative impact on perceptions of the timber sector, a bilateral approach to address the issue together with interested countries, accompanied by capacity building measures, was considered an appropriate measure to protect the environment from illegal logging.

An alternative approach could have been to rely on voluntary certification schemes; however, this would not provide the economies of scale or impact of a national approach and may not have adequately taken into account the role of producer governments in ensuring compliance with their relevant legislation.

5. The UK legal framework for the FLEGT licensing scheme is:

- Council Regulation (EC) No. 2173/2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community and implementing regulations;
- Commission Regulation (EC) No. 1024/2008 of 17 October 2008 laying down detailed measures for the implementation of Council Regulation (EC) No. 2173/2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community;
- The Forest Law Enforcement, Governance and Trade Regulations 2012;
- The Timber and Timber Products and FLEGT (EU Exit) Regulations 2018;
- The Environment and Wildlife (Legislative Functions) (EU exit) Regulations 2019;
- The Timber and Timber Products and FLEGT (Amendment) (EU Exit) Regulation 2020.

FLEGT licensing is a statutory requirement at country level for those countries that enter into bilateral FLEGT VPAs. Once the parties have decided to make the scheme operational the products in scope are listed in an annex to the VPA and the FLEGT Regulation; the product list can be extended if both parties agree and the VPA is amended accordingly. The VPA provides provisions for each party to terminate the VPA 12 months after notification if desired.

The UK also transposed Regulation (EU) No. 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market (OJL 295, 12.11.2010, p. 23), also known as the EU Timber Regulation or EUTR into UK domestic law as the UK timber Regulation. Valid FLEGT licenses (and CITES permits) are considered to automatically comply with the requirements of the UK Timber Regulation.

Procedures

6. The products concerned are not under restriction as to the quantity or value of imports. Replies from I to XI below are therefore not pertinent.

- 7.(a) Under the VPA a FLEGT licence is issued by the partner country before a shipment is exported. A UK importer of such a shipment does not need to apply for an import licence from the UK competent authority. A UK importer shall lodge the original FLEGT licence, as issued at the time of export of the shipment from the partner country, for acceptance and verification with the UK competent authority (Office for Product Safety and Standards).

If justified and subject to verification that the shipment meets the relevant conditions, it is generally possible for a FLEGT licence to be re-issued by the partner country in case of unforeseen circumstances.

- (b) The procedures established by the partner country determine whether a license can be granted immediately upon request or not.
- (c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.
- (d) As indicated above, licenses are issued by the exporting country and not by the UK. Prior to export the importer should be provided with a FLEGT license which they share with UK Competent Authority for verification, after which HMRC clearance hub matches to relevant customs checks on arrival, but prior to release for free circulation.

8. The issuance of a licence is the responsibility of the partner country; the procedures in case of refusal are therefore subject to the partner countries' rules

Eligibility of importers to apply for license

9. There are no import licenses for FLEGT; only the exporting partner country, e.g., Indonesia, can issue a FLEGT license for export to the UK. However, the UK importer will need to pay a fee of £9.60 to the UK Competent Authority for verification of the FLEGT licence.

Documentation and other requirements for application for license

10. The information required to apply for a FLEGT licence is set out in the FLEGT VPA and is subject to the rules of the exporting partner country. The format of the FLEGT licence is set out in an Annex of each FLEGT VPA. A UK importer needs to lodge the original of the FLEGT licence to the UK competent authority and the relevant copy with HMRC clearance hub.

11. A FLEGT licence is cross referenced to the customs declaration for release for free circulation.

12. The licensing fee is £9.60.

13. Not applicable as the UK does not issue the licences.

Conditions of licensing

14. The period of validity of FLEGT licences from a given partner country is set out in the corresponding bilateral FLEGT VPA. The validity can be extended by the issuing country upon request if adequately justified.

15. No, there is no penalty for the non-utilization of a licence or a portion of a licence.

16. The licences are not transferable between importers. The FLEGT licence does name the importer; the name of the importer on the FLEGT licence can however be amended by the issuing country upon request if adequately justified.

17. Evidence of compliance with relevant legislation, as set out in the relevant FLEGT VPA.

Other procedural requirements

18. No other administrative procedures, apart from import licensing and similar administrative procedures, required prior to importation. All other usual import requirements still apply.

19. Not applicable.

1.8 Waste shipment

Outline of system

1. This section provides a description of the UK waste shipment notification scheme as established by the UK rules and procedures for the transboundary shipments of waste.

The import of waste into the UK is for wastes controlled under a licensing system administered by the UK competent authorities. Its requirements are tied in with those of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, and an OECD decision on transboundary movements of waste for recovery.

Purposes and coverage of licensing

2. In accordance with the UK's obligations under the Basel convention and the Organisation for Economic Co-operation and Development (OECD), the regulation applies to all shipments of waste to, from or transiting through the UK.

3. The licensing system implements the UK's legal obligations as a Party to the Basel Convention and as a member of the OECD. It applies to all waste shipments to, from or transiting the United Kingdom.

4. The notification system ensures that the UK's commitments as a party to the Basel Convention and a member of the OECD are upheld. To that effect, transboundary movements of hazardous wastes and other wastes are to be reduced to the minimum, consistent with the environmentally sound and efficient management of such wastes and to be conducted in a manner that will protect human health and the environment against the adverse effects which may result from such movement. The UK procedures applicable for the shipment of hazardous wastes are not intended to restrict the quantity or value of imports.

5. The UK's legal framework for this scheme is the retained Regulation (EC) No. 1013/2006 of the European Parliament and of the Council on shipments of waste as amended by the International Waste Shipments (Amendment) (EU Exit) Regulations 2019, The International Waste Shipments (Amendment of Regulation (EC) No. 1013/2006) Regulations 2020, The International Waste Shipments (Amendment of Regulation (EC) Nos. 1013/2006 and 1418/2007) Regulations 2021.

These regulations can be viewed at the following address:

- <https://www.legislation.gov.uk/ukxi/2019/590/made>;
- <https://www.legislation.gov.uk/ukxi/2020/1455/made>;
- <https://www.legislation.gov.uk/ukxi/2021/785/made>.

Licensing is a statutory requirement for the import of any hazardous waste listed in schedules to the Basel Convention or OECD Council Decisions.

As a result of the Protocol on Ireland/Northern Ireland, Regulation (EC) No. 1013/2006 of the European Parliament and of the Council on shipments of waste continues to be directly applicable in Northern Ireland.

Procedures

6. The wastes concerned are not under restriction as to the quantity or value of imports. Exports of waste for disposal are subject to a general prohibition, this is to implement a government policy to support self-sufficiency in the disposal of wastes.

- 7.(a) License applications should be lodged in advance of the importation to allow for sufficient time for the competent authorities to produce a response. Deadlines to be respected are laid down in the UK legislation. Within these time constraints still, the processing time for a notification varies from case to case, depending primarily on the time taken by the competent authorities of the exporting economies concerned to provide feedback for the application, and on whether the application form is duly completed and lodged with all the required supporting documents.
- (b) Licenses are issued only after the consent by the competent authorities of the economies involved with a requirement under the UK regulations for determination of the justification for import and the fitness of the processing organisation to treat the material in an environmentally sound manner.
- (c) There are no limitations as to the period of the year during which a license application may be made.
- (d) For notifiable shipments of waste, the submission of a license application is made by the notifier to the competent authorities of the country of dispatch and prior consent for the shipment needs to be obtained from the competent authorities of all countries concerned (dispatch, transit and destination). The competent authorities in the UK are:
- In England, the Environment Agency;
 - In Wales, Natural Resources Wales;
 - In Scotland, the Scottish Environmental Protection Agency;
 - In Northern Ireland, the Northern Ireland Environment Agency.

8. Apart from statutory requirements, there are requirements under the Basel Convention for all States of Transit to control the trans-boundary movement of hazardous waste. Refusal to accept the movement by any such state shall cause the State of export to deny a license. The reasons for

objections to shipments for disposal and recovery are set out in the UK Plan for Waste Shipments and Articles 11 and 12 of retained Regulation (EC) No. 1013/2006 of the European Parliament and of the Council on shipments of waste.

Eligibility of importers to apply for license

9. Any natural or legal person, firm or institution may apply for a license. Fees to process license applications are charged by the competent authorities, the level of fee is determined by the planned number of shipments. There is no published list of licensed importers or exporters as licenses are granted for an individual shipment rather than a blanket license to import or export waste.

There must be a contract in place between the exporter and importer before the waste is shipped.

Documentation and other requirements for application for license

10. In accordance with Article 4 of retained Regulation (EC) No. 1013/2006 of the European Parliament and of the Council on shipments of waste, the application shall be effected by means of the notification document set out in Annex IA and the movement document set out in Annex IB of the Regulations. Together with Annex IA and IB, the notifier shall also supply the information listed in Annex II, Part 1 and Part 2 of the Regulation, respectively. Competent authorities may require additional information and documentation as listed in Annex II, Part 3 of the Regulation.

11. A copy of the approved notification and waste movement form.

12. Detailed information on fees is available on GOV.UK at <https://www.gov.uk/government/publications/waste-miscellaneous-charging-scheme-2019>.

13. A financial guarantee, or equivalent insurance, shall be established by the notifier or by another natural or legal person on its behalf and shall be effective at the time of the notification or, if the competent authority which approves the financial guarantee or equivalent insurance so allows, when the shipment starts, and shall apply to the notified shipment at the latest when the shipment ends. This financial guarantee or equivalent insurance shall cover: (a) costs of transport; (b) costs of recovery or disposal, including any necessary interim operation; and (c) costs of storage for 90 days pursuant to Article 6 of The International Waste Shipments (Amendment) (EU Exit) Regulations 2019.

Conditions of licensing

14. Under the UK legislation the import license is valid for a period of up to 12 months, with the possibility of an extension up to 36 months (in certain circumstances) and covers the amount and number of shipments of the waste as noted in the application.

15. No penalty for non-utilization.

16. Licences are not transferable between importers.

17. All applications must identify the maximum amount of the waste that is intended to be covered by the licence. This limit cannot be exceeded. In addition, the applicant is provided with specific conditions that form part of the license that usually relate specifically to the transport, treatment and/or disposal of the waste.

Other procedural requirements

18. None.

19. Not applicable.

2 HEALTH AND SAFETY EXECUTIVE

2.1 Civil explosives

Outline of system

1. With certain limited exemptions, an authorisation is required for the acquisition of explosives.

With certain exemptions, importers must apply for a Transfer Document which authorises the transfer of the explosives into the UK. A Recipient Competent Authority (RCA) document is required for the domestic transfer of explosives.

Manufacturers or importers are required to mark most civil explosives with a unique identification code. Where it is required the unique identification code must be marked on (or in certain cases attached to) each individual item. Different marking requirements apply depending on the size of the explosive.

Those who wish to import explosives into the UK should ensure that the explosives have been assigned a hazard classification by a signatory to the European Agreement Concerning for International Carriage of Dangerous Goods by Road (ADR) and hold a Competent Authority Document (CAD), which specifies the hazard classification and any conditions in relation to the transport of the explosives.

Further information is available on the [HSE website](#).

Purposes and coverage of licensing

2. The provisions set out above apply to explosives as defined in the The Explosives Amendment Regulations 2016. Explosive means (a) any explosive article or explosive substance which would (i) if packaged for transport, be classified in accordance with the United Nations Recommendations as falling within Class 1; or ii) be classified in accordance with the United Nations recommendations as (aa) being unduly sensitive or so reactive as to be subject to spontaneous reaction and accordingly too dangerous to transport, and (bb) falling within Class 1; or (b) a desensitised explosive.

For the purposes of transport and hazard classification this applies to articles and substances which would be classified in accordance with the United Nations Recommendations as falling within Class 1.

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

4. Licensing is not intended to restrict the quantity or value of imports. The purpose of licensing is to protect human, animal or plant life and health and to protect the environment.

5. The licensing provisions are set out under the provisions of The Explosives Amendment Regulations 2016.² Licensing is statutorily required, and the designation of products subjected to licensing is set out in the Regulations. The licensing provisions in the Explosives Regulations 2014 are unaffected by the amendments made by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 and The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020. These amendments are specific to the conformity assessment marking provisions of the regulations. It is not possible for the Government to abolish the system without legislative approval.

Procedures

6. Not applicable.

² Specific arrangements for the importation of civil explosives into Northern Ireland in accordance with the requirements of European Directive No. 2014/28 relating to the making available on the market and supervision of explosives for civil uses continue to apply in NI by virtue of the Protocol on Ireland/Northern Ireland to the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community. In NI, these Directive requirements are transposed by The Making Available on the Market and Supervision of Transfers of Explosives Regulations (Northern Ireland) 2016 and The Identification and Traceability of Explosives Regulations (Northern Ireland) 2013.

- 7.(a) Licences should be in place before explosives reach the UK Border and are imported. Further information is available on the [HSE website](#). Applications for transfer documents, site codes and hazard classifications are generally processed within 1 month of receipt of all necessary information.
- (b) No. A licence cannot be granted immediately on request.
- (c) No. There are no limitations as to the period of the year during which application for licence and or importation may be made.
- (d) Yes, the application is considered by a single administrative organ (Health and Safety Executive). Applications for import into NI are considered by the Department of Justice in Northern Ireland.

8. The reasons for any refusal are given to the applicant in writing. There is no right of appeal against a refusal to grant a transfer document, site code or hazard classification, although refusal is extremely rare. Refusal will occur if the applicant is deemed unsuitable, does not have a certificate to acquire or keep explosives, or the site to which they want to transfer the explosives is not a licensed site.

Eligibility of importers to apply for licence

9. All persons, firms and institutions are eligible to apply for licences. The system is restrictive insofar as the applicant for a licence must first apply for and obtain authorisation from the local police authority for a certificate to acquire or acquire and keep any relevant explosive. A certificate is issued to the applicant if the chief officer of police is satisfied that the applicant is a fit person. Fees are payable for the issue of both the certificate and the licence.

Documentation and other requirements for application for licence

10. Further detail on the information required in applications is available on the [HSE website](#).
11. To apply for a GB Transfer, a company must supply us with a completed LP50 (GB Transfer form), with all relevant sections completed. They must also supply us with a valid Acquire & Keep Document and/or a Registered Firearms Dealer (RFD) document depending on what explosives they wish to transfer. All licences are required to import civil explosives.
12. Further detail on the fees payable for applications is available on the [HSE website](#).
13. Currently there is no fee when applying to transfer explosives into GB. Further details on the other fees that may be payable for applications is available on the [HSE website](#).

Conditions of licensing

14. The period of validity of a licence depends on the type of licence and will be stated on the licence. Some licences can be renewed, through the application process.
15. No, there is no penalty for the non-utilization of a licence or a portion of a licence.
16. Licences are not transferable between importers.
17. The conditions of each licence will be set out in the licence document.

Other procedural requirements

18. With certain limited exemptions authorisations are required for the acquisition, keeping, storage and/ or manufacture of explosives. Authorisations to acquire explosives are granted by the Police, while licences to store and/or manufacture explosives are granted by the Police, Local Authority or HSE, depending on the type and quantity of explosives. Both may be required before explosives can be lawfully kept in the UK. Applications for authorisations to acquire or acquire and keep explosives granted by the Police are subject to the time taken to complete all necessary security assessments. Licences for the manufacture and/or storage of explosives are subject to the time taken to undertake a full assessment of the proposed storage locations and suitability checks of the applicant. If an

importer can arrange third party storage arrangements, then a licence to store may not be required before explosives are imported.

19. Not applicable.

3 HOME OFFICE

3.1 Drug precursors

Outline of system

1. The drug precursor control system allows the United Kingdom to meet its international treaty obligations under the 1988 UN Convention Against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

Purposes and coverage of licensing

2. Drug precursors are divided into 4 categories:³

- Category 1: the most sensitive substances, such as piperonal, chloroephedrine and ergometrine;
- Category 2: less sensitive substances and pre-precursors, such as acetic anhydride, piperidine and phenylacetic acid;
- Category 3: bulk chemicals that can have different uses, such as toluene, methyl ethyl ketone (MEK) and sulphuric acid;
- Category 4: medicinal products containing ephedrine or pseudoephedrine.

3. The need for import and/or export licences depends on several factors, such as which category substance falls into and the quantity. Please see the full chart covering the goods here:

[Precursor chemical import and export authorisation wallchart - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/274444/Precursor_chemical_import_and_export_authorisation_wallchart.pdf)

4. The objective of the system is to prevent the diversion of drug precursors for illicit manufacture while maintaining a competitive market for legitimate trade.

5. The legislation and regulations under which the drug precursor systems are controlled are laid out below.⁴

- Regulation [\(EC\) 273/2004](#) of the European Parliament and Council of 11 February 2004 on drug precursors (Retained EU Legislation)
- Council Regulation [\(EC\) 111/2005](#) of 22 December 2004 laying down rules for the monitoring of trade between the Community and third countries in drug precursors (Retained EU Legislation)
- Commission Delegated Regulation (EU) 2015/1011 supplementing Regulation (EC) No. 273/2004 of the European Parliament and of the Council on drug precursors and Council Regulation (EC) No. 111/2005 laying down rules for the monitoring of trade between the Union and third countries in drug precursors, and repealing Commission Regulation (EC) No. 1277/2005 (Retained EU Legislation)
- Commission Implementing Regulation (EU) 2015/1013 of 25 June 2015 laying down rules in respect of Regulation (EC) No. 273/2004 of the European Parliament and of the Council on drug precursors and of Council Regulation (EC) No. 111/2005 laying down rules for the monitoring of trade between the Union and third countries in drug precursors (Retained EU Legislation)
- The Controlled Drugs (Drug Precursors) (Intra-Community Trade) Regulations 2008
- The Controlled Drugs (Drug Precursors) (Community External Trade) Regulations 2008

³ Please see further information on: <https://www.gov.uk/guidance/precursor-chemical-licensing#categories>.

⁴ Specific arrangements apply in Northern Ireland including by virtue of the Protocol on Ireland/Northern Ireland. Further details on the operation of the Protocol on Ireland/Northern Ireland can be found at: <https://www.gov.uk/government/publications/the-northern-ireland-protocol>.

- The above are amended by the Part 5, Chapter 1 of the Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019.

Procedures

6. Not applicable.

- 7.(a) People can ship any time during the validity of the licence. Import licences are valid for three months and export licenses are valid for 2 months. Home Office service standard is seven-ten working days in addition.

Depending on Licensing Unit resource, a same day licence could be issued. If goods arrive at the port without a licence, a retrospective licence would not be issued as the offence has already occurred.

Applications should be submitted in advance as they usually take 12-16 weeks to process once the Home Office have received the Disclosure and Barring Service (DBS) checks for all those named on the licence application.

- (b) The process is not automatic, so it cannot be immediately granted. However, a licence could potentially be granted on the same day if the company already holds a valid domestic licence and have set up the products and foreign trade establishments on the NDS system.
- (c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.
- (d) Consideration of licence applications is affected by a single administrative organ, the Drugs and Firearms Licensing Unit in the Home Office. However, the Unit will have regard to information from other agencies. Operators must lodge an application for an import or export authorisation (licence) with the competent authority in which the importer/exporter is established. The Home Office serves as the "competent authority".

8. There are no specific circumstances under which an application for a licence may be refused other than failure to meet the ordinary criteria. The reasons for any refusal may be given to the applicant. Applicants do not have a right of appeal in the event of refusal to issue a licence.

Eligibility of importers to apply for license

9. To apply for a DPC import or export licence the company needs to hold the relevant domestic licence or registration where one is needed. It depends on several factors, such as the substance, the quantity and countries involved in the transaction as set out in the document at the following link: [Precursor chemical export and import authorisation \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/precursor-chemical-export-and-import-authorisation)

You need to apply for a new import or export licence for each individual shipment. Licences cannot be post-dated or retrospectively issued. If you are applying for a UK export licence you must include a copy of the import permit.

Each individual licence has a fee of £24.

Documentation and other requirements for application for license

10. Regulations require that all imports, exports and intermediary activities involving precursors chemicals be documented by operators.

Operators must lodge an application for an import or export authorisation (licence) with the competent authority in which the importer/exporter is established. The Home Office serves as the "competent authority". Applications must be made via the national drugs control system (NDS) in respect of each transaction (shipment). Import/Export licences can only be sought after the relevant domestic licence or registration is held.

Applications for authorisations must contain full information about the transport arrangements, name and address of all operators involved, and nature, quantity and weight of the substance being traded.

To apply for a domestic licence, they will need to provide the following information and documents:

- the company registration document from Companies House (if applicable);
- a valid Disclosure and Barring Service (completed via [Security Watchdog](#)) reference number and date of issue for the responsible officer and guarantor;
- a certificate of good conduct for the responsible officer – this should be a brief letter signed by another officer of the company such as the guarantor and should, for example, confirm that the responsible officer is a fit and proper person to act as the responsible officer for precursor chemicals. They may also wish to state how long the responsible officer has worked for the company, the role they hold and a statement on how they have carried out their duties;
- a purchase order (PO) number (if applicable to your company or organisation);
- knowledge of the PC substances and categories.

11. The import licence is required upon actual importation.

12. The fee for an individual export or import licence is £24. The Home Office will process applications in date order. The expected processing time is seven working days. You should expect another 15 days' processing time if a pre-export notification is required while the importing authority considers your export.

Precursor chemical domestic licences: application fees for new precursor chemical domestic licences

Licenceable activity/activities	Licence application fee
Category 1 licence	£3,655
Category 2 registration	£435
Category 3 registration	£435

13. No deposit or advance payment requirement. Payment is in arrears for import licensing only. All domestic licensing fees are paid before a licence is issued.

Conditions of licensing

14. Import licence three months, Export licence two months or to the expiry of the import licence. The validity of a licence cannot be extended and is only valid for a single shipment.

15. Licences are for single shipments only; they cannot be used for multiple shipments.

There is no penalty for the non-utilization of a licence or a portion of a licence, but licence fees are still payable.

16. Licences are not transferable between importers.

17. There are no other conditions attached to the issue of a licence.

Other procedural requirements

18. Customs declarations.

19. Not applicable.

3.2 Controlled drugs

Outline of system

1. The Controlled Drug system allows the United Kingdom to meet its international treaty obligations under the 1961 UN Single Convention on Narcotic Drugs, the 1971 UN Convention on Psychotropic Substances.

Purposes and coverage of licensing

2. Regulations require that all imports, exports and intermediary activities involving Controlled Drugs be documented by operators.

Substances are listed in Parts I, II, III and IV of Schedule 2 to the Misuse of Drugs Act 1971 and in Schedules 1 to 5 to the Misuse of Drugs Regulations 2001, and the Misuse of Drugs (Northern Ireland) Regulations 2002. A list of the most commonly encountered drugs currently controlled under those provisions can be found in the following link:

<https://www.gov.uk/government/publications/controlled-drugs-list--2/list-of-most-commonly-encountered-drugs-currently-controlled-under-the-misuse-of-drugs-legislation>

3. All countries whereby the substance being imported is controlled in either one of the countries.

4. Licences are issued to manage the volumes of controlled drug movements worldwide, in accordance with our international obligations. Monetary value is of no relevance to these considerations. Licences enable trade which would otherwise be prohibited because of the danger posed by the substances and their risk of diversion. Controlled drugs are potentially harmful to health, and all imports must be made to a holder of a domestic controlled drugs licence, or to an exempt body (such as healthcare providers in respect of drugs in schedules 2-4).

- 5.(i) The Misuse of Drugs Act 1971;
- (ii) The Misuse of Drugs Regulations 2001;
- (iii) The Misuse of Drugs Regulations (Northern Ireland) 2002.

The substances subject to licensing are set out in legislation. The substances subject to licensing are not left to administrative discretion.

Procedures

6. Not applicable.

7.(a) People can ship any time during the validity of the licence. Import licenses are valid for three months and export licences are valid for up to two months. Home Office service standard is seven-ten working days in addition.

Depending on Licensing Unit resource, a same day licence could be issued. If goods arrive at the port without a licence, a retrospective licence would not be issued as the offence has already occurred.

- (b) The process is not automatic, so it cannot be immediately granted. However, a licence could potentially be granted on the same day, if the company already hold a valid Domestic licence and have set up the products and foreign trade establishments on the NDS system.
- (c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.
- (d) Consideration of licence applications is affected by a single administrative organ, the Drugs and Firearms Licensing Unit in the Home Office. However, the Unit will have regard to information from other agencies. In the case of cannabis-based products for medicinal use which are special medicinal products (unlicensed medicines) the Unit will take advice from the Medicines and Healthcare products Regulatory Agency (MHRA), and applicants will need to show that they have notified the MHRA according to the MHRA's requirements. Operators must lodge an application for an import or export authorisation (licence) with the competent authority in which the importer/exporter is established. The Home Office serves as the "competent authority".

8. There are no specific circumstances under which an application for a licence may be refused. All applications are considered individually on their merits. The reasons for any refusal are given to the applicant, we cannot reject an import/export request without stating the reason. Applicants do not have a right of appeal in the event of refusal to issue a licence.

Eligibility of importers to apply for license

9. To apply for a CD import or export licence, the company would need to hold a domestic licence unless they fall under an exemption such as university research departments, hospitals, care homes and other healthcare providers who may only require a licence for certain schedules and activities.

You need to apply for a new import or export licence for each individual shipment. Licences cannot be post-dated or retrospectively issued. If you are applying for a UK export licence you must include a copy of the import permit.

Each individual licence has a fee of £24.

Documentation and other requirements for application for license

10. Regulations require that all imports, exports and intermediary activities involving controlled drugs be documented by licensees. Licensees must lodge an application for an import or export authorisation (licence) with the competent authority in which the importer/exporter is established. The Home Office serves as the "competent authority". Applications must be made via the national drugs control system (NDS) in respect of each transaction (shipment).

Applications for authorisations must contain full information about the transport arrangements, name and address of all parties involved, and nature, quantity and weight of the substance being traded.

11. The import licence is required upon actual importation.

12. The fee for an individual export or import licence is £24. The Home Office will process applications in date order. The expected processing time is 7 working days. A domestic licence is a pre-requisite to apply for an import/export licence unless the company is exempt. The fees for a domestic CD Licence.

Controlled drug domestic licences: application fees for new controlled drug domestic licences

Licensable activity	Application fee
Possess controlled drugs	£3,133
Supply, or offer to supply, controlled drugs	£3,655
Produce preparations containing controlled drugs	£4,178
Produce controlled drugs	£4,700

13. No deposit or advance payment requirement. Payment is in arrears for import licensing only. All domestic licensing fees are paid before a licence is issued.

Conditions of licensing

14. Import licence three months, Export licence two months or to the expiry of the import licence. The validity of a licence cannot be extended.

15. There is no penalty for the non-utilization of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no other conditions attached to the issue of a licence.

Other procedural requirements

18. Customs declarations.

19. Not applicable.

3.3 Firearms

Outline of system

1. The OGIL (Open General Import Licence) is a national trade control measure run by the Department for International Trade (DIT) that allows the import of firearms into the UK, subject to the exceptions it sets out.

Purposes and coverage of licensing

2. The Import Licensing Branch of the Department for International Trade issues import licences on its online Import Case Management System for the import of firearms, component parts of firearms, ammunition, accessories designed or adapted to diminish the noise or flash caused by the firing of a weapon and bump stocks. Certain exclusions are listed in the Annex to the OGIL, as updated from time to time, that do not require an import licence.

Ex Chapter 93
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9705000090
9706000090

3. All countries.

4. No, the import licensing regime is in place for public safety reasons to ensure that only those with domestic authority to possess or sell firearms, their component parts, ammunition, noise suppressors and bump stocks can import them.

5. The Import Licensing Branch of the Department for International Trade administers the import licensing controls on firearms under conditions listed in the Open General Import Licence (OGIL). The OGIL is a national trade control measure, which allows the import of goods into the UK and sets out any applicable import controls.

Procedures

6. Not applicable.

7.(a) Applications can be made at any time. Importers will run the risk, however, of having their firearms seized by UK customs if they do not have a valid import licence in place at the time of the import.

(b) Yes, an import licence can be granted immediately upon request. This can only be done if either a) the importer has previously had the validity and coverage of their firearms authorities verified by the UK authorities that issued them, e.g., the Police and/or Home Office or b) the firearms are not subject to domestic possession controls provided that certain conditions excluding the firearms from those controls are met and confirmed.

(c) An import licence application can be submitted at any time of the year provided that the applicant is registered and set up on the Import Licensing Branch's Import Case Management System (ICMS). Import Licensing Branch of Department of International Trade will not be able to process that request when closed on a weekend or during a public holiday.

(d) Whilst the application is entirely handled by the Import Licensing Branch of the Department for International Trade, we will verify the additional domestic possession documentation provided in an application with the police and/or Home Office before making a decision on granting an import licence.

8. Applications will be refused where the applicant does not have the necessary domestic possession authority. There is an appeal process in conjunction with the Home Office firearms unit, which is responsible for firearms policy in the UK.

Eligibility of importers to apply for license

9. Where domestic authority to possess is required, only those that hold it can import.

Documentation and other requirements for application for license

10. The applications can only be submitted online via ILB's Import Case Management System. The applicant must confirm the type of firearm, where within the Firearms Act it falls, the number of firearms, the country that they originate from and the country that they are consigned from. The applicant, depending upon the type of firearm, may need to upload copies of their firearms authorities, which would need to be verified by the authority that issued them or a copy of a deactivation certificate if the firearm has been deactivated to the relevant standards.

11. Import licence plus legal documentation confirming that the individual/company complies with UK authority to possess requirements.

12. Import Licencing Branch of Department of International Trade does not currently charge for the issuing of import licences.

13. There is no deposit or advance payment requirement associated with the issue of licences.

Conditions of licensing

14. The validity period of a Specific Import Licence is set up to six months from its date of issue. It can be less if the applicant's firearms authorities expire within six months. Open Individual Import Licences have a validity period that matches the validity period of their Certificate of Registration as a Firearms Dealer.

15. There is no penalty for the non-utilization of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. Not applicable.

Other procedural requirements

18. Customs declarations.

19. Not applicable.

4 DEPARTMENT FOR BUSINESS ENERGY AND INDUSTRIAL STRATEGY

4.1 Nuclear Materials

Outline of system

1. The UK requires an import licence when: Uranium Ore concentrates; and Plutonium, Uranium 233, Uranium enriched in the isotopes 233 or 235, natural Uranium and mixtures, compounds and alloys containing any of the foregoing, including spent or irradiated nuclear reactor fuel elements; (together referred to as "Nuclear Materials") are imported into the UK.

This import licensing system is administered by the Office for Nuclear Regulation (ONR). These licenses give the UK control over potentially fissile material, which is important on national security grounds.

Purposes and coverage of licensing

2. The following nuclear materials currently require an import licence when imported into the UK from outside the EU:

- ex 26 12 Uranium ore concentrates

- ex 28 44 Plutonium, uranium 233, uranium enriched in the isotopes 233 or 235, natural uranium and mixtures, compounds and alloys containing any of the foregoing, including spent or irradiated nuclear reactor fuel elements (cartridges).

3. Import licensing arrangements cover all imports of relevant nuclear materials into the UK. All nuclear imports will be subject to the same import licensing procedures.

4. The import licensing requirement exists to prevent nuclear material that could be used to make an improvised nuclear device from falling into the wrong hands (i.e., a national security and nuclear non-proliferation concern). When the shipments are stopped at the border by radiation detectors, the accompanying import licence enables Border Force officials to determine its legitimacy and proceed accordingly.

Removing the import licensing requirement for relevant nuclear material would diminish ONR's ability to identify imports that should not take place, or add conditions or caveats to imports, to suitably check and address any concerns over the materials intended use for making an improvised nuclear device. For this reason, alternative methods have not been considered.

5. The import licensing restriction on these materials (via their inclusion in the Annex to the Open General Import Licence), gives these materials "prohibited and restricted" status. This licensing restriction enables designated customs officials to use powers contained in the Customs and Excise Management Act 1979 (CEMA) to search for these materials at the border and to seize or detain imports if they reasonably believe them to be prohibited or restricted and if they suspect they are being imported illegally.

The underlying Annex to Open General Imports Licences will be amended to provide that licences will be required for all relevant nuclear imports coming into the UK.

Procedures

6. Not applicable.

7.(a) Goods without a licence will not be granted access to the UK on entry at any Port without a valid one in place.

There is no fixed period for submitting a specific license application in advance of importation, although it must be reviewed, and a license must be issued before the importation occurs. However, we recommend that operators submit their application two months before the importation.

- (b) No - around two months for granting from receipt of application to ONR. A specific license would not be granted immediately upon request. Applicants should allow up to two months from the date an application is received by ONR.
- (c) There are no limitations as to the period of the year during which a specific import license application can be submitted to ONR.
- (d) ONR will grant the licence and will undertake discussions with other organisations, as is required, for approval.

8. Licence could be refused under the Nuclear Industries Security Regulations due to over excessive quantities, legal entity of the company importing etc. Any refusal, provided no sensitivities, would be given the reason(s) in an open and transparent manner. Right of appeal in the first instance would be in writing to the Deputy Chief Nuclear Inspector at ONR.

Eligibility of importers to apply for license

9. Any company registered with Companies House is eligible to apply for a licence. Applicants do not need to register anywhere else to apply for the licences. Applicants and licensees do not pay any fees for the licences. Lists of applicants or licensees are not published. An application consists of two forms: a declaration signed by a director of a company, authorising an individual to apply on behalf of the company; and an application signed by the individual.

Documentation and other requirements for application for license

10. Detailed information and guidance is available on GOV.UK and forms can be accessed at <https://www.onr.org.uk/cnss/licensing.htm>.

11. Importer must carry the licence along with other relevant identification documents.

12. There is no application fee.

13. Not applicable.

Conditions of licensing

14. A valid licence only remains valid for 12 months from the date of issue. A new licence must be applied after its expiration date.

15. Not applicable.

16. No, licences cannot be transferred between importers.

17. Importers applying for licence are required to declare the quantity of materials to be covered by the licence.

Other procedural requirements

18. Customs declarations.

19. Not applicable.

5 FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE**5.1 Rough Diamonds****Outline of system**

1. The UK's rough diamonds import regime controls the import, export and transit of rough diamonds, in line with the requirements of the Kimberley Process.

The Kimberley Process is a regulatory certification scheme set up by States with the aim of breaking the link between armed conflict and the trade in rough diamonds. The Kimberley Process has established a set of requirements which participants must comply with and enforce through enacting national legislation. This includes ensuring that a Kimberley Process Certificate accompanies each export of rough diamonds from their territory, and no shipment of rough diamonds is imported to or exported from a non-participant.

The Government Diamond Office in the Foreign, Commonwealth and Development Office, is responsible for implementing the Kimberley Process in the UK.

Purposes and coverage of licensing

2. Rough diamond imports must be accompanied by a Kimberley Process certificate issued and validated by the competent authority of the exporting participant. A competent authority means the authority designated by a participant to issue, validate or verify a certificate. A certificate means a document duly issued and validated by a participant's competent authority identifying a shipment of rough diamonds as being in compliance with the requirements of the Kimberley Process certificate scheme.

Rough diamonds are diamonds that are unworked or simply sawn, cleaved or bruted and fall under the relevant trade tariff commodity codes – 7102.1000 (unsorted rough diamonds), 7102.2100 (industrial rough diamonds) and 7102.3100 (non-industrial rough diamonds).

3. The import regime applies to rough diamonds being imported from a Kimberley Process participant. A participant is defined as any State, regional economic integration organisation, WTO-member or separate customs territory that fulfils the requirements of the KP certification scheme and has notified that fact to the Chair of the KP certification scheme. Rough diamond imports from non-participants of the Kimberley Process will be denied entry.

4. The import regime does not restrict the quantity or value of imports. The purpose of the UK's import regime is to enforce the requirements of the Kimberley Process, a conflict prevention measure designed to break the link between armed conflict and the trade in rough diamonds.

5. Retained EU law: Council Regulation (EC) No. 2368/2002 of 20 December 2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds.

UK legislation: The Kimberley Process Certification Scheme (Amendment) (EU Exit) Regulations 2019, The Kimberley Process Certification Scheme (Amendment) (EU Exit) Regulations 2020, and The Kimberley Process (Fees) Regulations 2014.⁵

Procedures

6. Not applicable.

7.(a) The UK's import regime begins when the rough diamond import arrives at the UK border. The importer must make arrangements for the Kimberley Process certificate to be presented to the border authorities.

(b) There are a number of Kimberley Process related import conditions which must be satisfied. Only after it has been confirmed that the import complies with the conditions set out in 11 below will the import be granted entry (subject to compliance with any other import requirements not related to the Kimberley Process).

(c) There is no limitation as to the period of the year when an import of rough diamonds can arrive in the UK.

(d) The Government Diamond Office works with border authorities (UK Border Force and HM Revenues and Customs) to check if rough diamond imports comply with the import conditions set out in 11 below. All imports of rough diamonds may be subject to physical inspection by the Government Diamond Office to confirm compliance.

8. If the rough diamond import does not comply with the import conditions set out in 11 below, it will be detained for further investigation by the Government Diamond Office. As part of the investigation, the Government Diamond Office will advise the importer why the import has failed compliance and discuss ways to rectify. Rough diamond imports can only be granted entry into the UK once all import conditions are met.

Eligibility of importers to apply for license

9. All persons, firms and institutions are eligible to import rough diamonds into the UK providing the import complies with the import conditions set out in 11 below (and any other import requirements not related to the Kimberley Process), including being accompanied by a Kimberley Process certificate issued and validated by the competent authority of the exporting participant. The terms and conditions associated with the application and issuing of a certificate will be determined by the competent authority of the exporting participant and may vary from participant to participant.

Documentation and other requirements for application for license

10. Rough diamond imports must be accompanied by a Kimberley Process certificate issued and validated by the competent authority of the exporting participant. The terms and conditions associated with the application and issuing of a Kimberley Process certificate are determined by the

⁵ Specific arrangements apply in Northern Ireland including by virtue of the Protocol on Ireland/Northern Ireland. Further details on the operation of the Protocol on Ireland/Northern Ireland can be found at <https://www.gov.uk/guidance/export-diamonds-special-rules>.

competent authority of the exporting participant and may vary from participant to participant. A competent authority means the authority designated by a participant to issue, validate or verify a certificate. A certificate means a document duly issued and validated by a participant's competent authority identifying a shipment of rough diamonds as complying with the requirements of the Kimberley Process certificate scheme.

11. There are a number of Kimberley Process related import conditions which must be satisfied. These conditions are that:

- The rough diamonds are accompanied by a Kimberley Process certificate validated by the competent authority of a Kimberley Process participant.
- The rough diamonds are contained in tamper-resistant containers, and the seals applied at export by the participant are not broken.
- The Kimberley Process certificate clearly identifies the consignment to which it refers.

12. Not applicable.

13. Not applicable.

Conditions of licensing

14. The Kimberley Process certificate must be within the period of validity when the import arrives at the UK border. If the certificate is not within the period of validity, the import will be detained for further investigation by the Government Diamond Office.

15. Not applicable.

16. The name and address of the importer on the certificate must be the same as the name and address of the actual importer. Therefore, it is not transferable.

17. Not applicable.

Other procedural requirements

18. Customs declarations.

19. Not applicable for the UK's import requirements.
