



11 October 2022

(22-7648)

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Committee on Import Licensing

Original: English

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹

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

REPUBLIC OF KOREA

The following communication², dated 30 September 2022, is being circulated at the request of the delegation of Korea.

Outline of the system

1. By embracing the principle of free trade, Korea has continued to reduce its trade-related regulations. In this context, restrictions on trade, if any, are limited to the very minimum necessary.

As a general rule, no licensing (since 1 July 1993), registration (since 1 March 1997) or notification (since 1 January 2000) is required for importers and exporters.

The Foreign Trade Act is the basic law that governs international trade between Korea and other countries. Specific items for which exports and/or imports are restricted are listed under the Export-Import Notice published by the Ministry of Trade, Industry & Energy (MOTIE). However, at present, no item is subject to import restrictions under the Export-Import Notice except aircraft parts³.

In addition to the Foreign Trade Act, 64 separate laws also stipulate approval or authorization requirements for certain items, and such items can be imported by obtaining certifications and approval. These requirements are in place mostly for the protection of morals, human health, hygiene and sanitation, animal and plant life, aquatic animal and aquatic plant health, environmental conservation or essential security interests in compliance with domestic legislation obligations or international commitments.

To enhance transparency and for the convenience of trading companies, MOTIE has updated the Consolidated Public Notice containing all export and import certification requirements covered by the 64 separate laws.

Purpose and coverage of licensing

2. As of September 2011, there are no quantitative import restrictions. In addition, rice has not been subject to quantitative import restrictions since 2015 due to "tariffication". Import-related requirements provided by the 64 separate laws pertain to petroleum, agricultural fertilizers, crop seeds, animals and animal products, nuclear materials, narcotics, foods and food additives, firearms and explosives, etc.

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

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

² New updates have been highlighted in bold in the text.

³ See Annex II.

4. No import-related regulations are intended to restrict the quantity or value of imports. Rather, they are maintained in order to protect national security, human, animal or plant life or health, and the environment, etc. in accordance with the provisions of Articles XX and XXI of GATT 1994, other WTO Agreements and other international rules or agreements.

5. The import approval system is enforced under the Foreign Trade Act, the Enforcement Decree of the Foreign Trade Act, the Foreign Trade Management Regulation and the Export-Import Notice. The import-related requirements are set forth in the 64 domestic laws in the Consolidated Public Notice. A list of these laws is attached in Annex I. The detailed conditions for approval are prescribed in enforcement decrees or regulations for the above-mentioned 64 domestic laws.

Procedures

6. Not applicable

7.(a) Please see Annex I for related Administrative Organizations.

8. An application for approval cannot be rejected if it satisfies the established criteria.

Eligibility of importers to apply for licence

9.(a) and (b) No licensing (since 1 July 1993), registration (since 30 December 1996) or notification (since 1 January 2000) is required to become an importer or exporter.

For statistical purposes only, the Korea International Trade Association (KITA), a private organization, assigns upon request a trade business number to anyone who wishes to carry out trade business.

Documentation and other requirements for licence applications

10. An offer sheet or a copy of the contract and other necessary documents must be submitted together with the application.

(a) Attachment: one set of sample forms⁴.

11. In the case of import-restricted items, the import declaration, import approval, commercial invoice, Bill of Lading and other necessary documents must be submitted.

12. There is no licensing fee or administrative charge.

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

Conditions for licensing

14. In principle, the period of validity for import approval is one year. However, this period can be extended or shortened, depending on specific circumstances, when the approval is issued by the relevant administrative agency.

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

16. Licences are non-transferable between importers.

17. There are no other conditions associated with the issuing of a licence.

Other procedural requirements

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

⁴ In English and Korean only.

19. Foreign exchange is provided automatically for goods to be imported under the standard settlement method.

ANNEX I

The following tables briefly outline the items subject to import-related requirements and the administrative organizations under the 64 domestic laws. Each Ministry is responsible for the application of the laws whose procedures or requirements fall under its authority.

1. Ministry of Trade, Industry & Energy

| Law | Product Covered | Related Administrative Organization |
|---|---|---|
| Petroleum and Alternative Fuel Business Act | Petroleum, Petroleum products | Ministry |
| High Pressure Gas Safety Control Act | High pressure gas, container and facilities | Korea Gas Safety Corporation |
| Safety control and Business of Liquefied Petroleum Gas Act | Gas appliances | Korea Gas Safety Corporation |
| Act on the Control, Etc. of Manufacture of Specific Substances for the Protection of the Ozone Layer | Controlled substances under the Montreal Protocol | Ministry |
| Electrical Appliances and Consumer Products Safety Control Act | Electrical appliances, consumer products, packaging for children's products | Korean Agency for Technology and Standards |
| Act on the Control of the Manufacture, Export and Import, Etc. of Specific Chemicals and Chemical Agents for the Prohibition of Chemical and Biological Weapons | Specific chemicals, Biological agents (Pathogens for Humans, Animals and Plants) and Toxins | Ministry |
| Special Act on the Safety of Products for Children | Children's products | Korean Agency for Technology and Standards |
| Measures Act | Legal measuring instruments | Korea Testing Certification Korea Testing Laboratory |
| Energy Use Rationalization Act | Efficiency Management Machinery, Equipment, or Materials | National Energy-Saving Promotion Committee |

2. Ministry of Agriculture, Food & Rural Affairs

| Law | Product Covered | Related Administrative Organization |
|--|--|--|
| Fertilizer Control Act | Agricultural fertilizer | Ministry |
| Pesticide Control Act | Pesticides | Rural Development Administration |
| Act on the Prevention of Contagious Animal Diseases | Animals and animal products | Animal and Plant Quarantine Agency |
| Seed Industry Act | Seeds | Rural Development Administration Korea Seed Association Korea Seed & Variety Service Korea Forest Service |
| Grain Management Act | Grain | Ministry |
| Control of Livestock and Fish Feed Act | Feed specified and publicly notified by the Ministry | Nonghyup Agribusiness Group Inc. Feed-related organization |
| Livestock Industry Act | Breeding stocks, Semen, ovum, fertilized egg for the purpose of artificial insemination | Ministry |
| Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods, etc. | Certified products labelled as organic, Organic processed foods that have obtained equivalency recognition | Ministry National Agricultural Products Quality Management Service |
| Agricultural Products Quality Control Act | Silkworm eggs | Local Sericulture Institution |
| Plant Protection Act | Plants, Pests, Containers and Packaging for Containing or Wrapping Plants, Soil | Ministry Animal and Plant Quarantine Agency |

3. Korea Forest Service

| Law | Product Covered | Related Administrative Organization |
|---------------------------------------|------------------------------|-------------------------------------|
| Act on the Sustainable use of Timbers | Raw Timbers, Timber Products | Korea Forest Service |

4. Ministry of Science and ICT

| Law | Product Covered | Related Administrative Organization |
|-----------------|---|--|
| Radio Waves Act | Radio, Telecommunication, and EMC equipment | National Radio Research Agency (Communications Conformity Assessment Center) |

5. Ministry of the Interior and Safety

| Law | Product covered | Related administrative organization |
|---------------|-----------------|-------------------------------------|
| Local Tax Act | Tobacco | Administrative local governments |

6. Ministry of Employment and Labor

| Law | Product Covered | Related Administrative Organization |
|------------------------------------|---|---|
| Occupational Safety and Health Act | Harmful substances (e.g., yellow phosphorous matches, benzidine) | Local labour administration |
| | New chemical substances (e.g., chemical elements, radioactive substances) | Local labour administration |
| | Safeguarding measures (e.g., safeguarding measures against press) | Korea Occupational Safety & Health Agency |
| | Harmful or hazardous equipment (e.g., cranes, lifts) | Korea Occupational Safety & Health Agency |
| | Protective equipment (e.g., safety helmet) | Korea Occupational Safety & Health Agency |

7. Ministry of Culture, Sports and Tourism

| Law | Product Covered | Related Administrative Organization |
|---|--|---|
| Promotion of the Motion Pictures and Video Products Act | Film and video content | Korea Media Rating Board Local governments |
| Game Industry Promotion Act | Video game content | Game Rating and Administration Committee |
| Music Industry Promotion Act | Music, Music content, Records, Music files | Korea Media Rating Board |

8. Ministry of National Defense

| Law | Product Covered | Related Administrative Organization |
|---------------------------------|-------------------|--|
| Defense Acquisition Program Act | Defense materials | Defense Acquisition Program Administration |

9. Korean National Police Agency

| Law | Product Covered | Related Administrative Organization |
|---|---------------------------------|-------------------------------------|
| Act on the Safety Management of Guns, Swords, Explosives etc. | Firearms, swords and explosives | Agency |

10. Ministry of Economy and Finance

| Law | Product Covered | Related Administrative Organization |
|----------------|-----------------|-------------------------------------|
| Liquor Tax Act | Liquor | District tax offices |

11. Ministry of Environment

| Law | Product Covered | Related Administrative Organization |
|---|--|---|
| Chemicals Control Act | Chemical substances | Basin Environmental Offices or Regional Environmental Offices |
| Act On Registration and Evaluation of Chemical Substances | Chemical substances | Korea Environment Corporation National Institute of Environmental Research |
| Wildlife Protection and Management Act | Animals and plants detrimental to the ecosystem | Basin Environmental Offices or Regional Environmental Offices |
| | Endangered wild animals and plants | Basin Environmental Offices or Regional Environmental Offices |
| | Wild animals | Local governments |
| | International trade in endangered species of wild fauna and flora | Basin Environmental Offices or Regional Environmental Offices |
| Drinking Water Management Act | Bottled water, water treatment chemicals and containers | Local governments |
| Act on Transboundary Movements of Hazardous Wastes and Their Disposal | Wastes | Basin Environmental Offices or Regional Environmental Offices |
| Act on the Promotion of Saving and Recycling of Resources | Waste charge system Products and packing materials subject to recycling etc. | Korea Environment Corporation |
| Act on the Conservation and Use of Biological Diversity | Biological resources | Korea Biodiversity Resources System |
| Wastes Control Act | Wastes - garbage, burnt refuse, sludge, waste oil, waste acid, waste alkali, and animal carcasses | Korea Waste Association |
| Act on Resource Circulation of Electrical and Electronic Equipment and Vehicles | Resources used in electrical and electronic equipment and vehicles | Ministry |
| Noise and Vibration Control Act | Motor vehicles tire Motor vehicles, etc. | Korea Environment Corporation National Institute of Environmental Research |
| Sewerage Act | Kitchen waste grinders | Ministry |
| Clean Air Conservation Act | Motor vehicles, etc. | National Institute of Environmental Research |
| Persistent Organic Pollutants Control Act | Persistent organic pollutants | Ministry of Environment |
| Consumer Chemical Products and Biocides Safety Control Act | Chemical Products and Biocides | Korea Environmental Industry & Technology Institute National Institute of Environmental Research Basin Environmental Offices or Regional Environmental Offices |
| Act on Access to and Utilization of Genetic Resources and Benefit-Sharing | Genetic Resources -Bio-Resources -Agricultural bio-resources -Pathogenic organism resources -Biological resources in the field of wildlife and Biological resources -Marine and fisheries bio-resources | Ministry of Environment -Ministry of Science and ICT -Ministry of Agriculture, Food and Rural Affairs -Ministry of Health and Welfare -Ministry of Environment -Ministry of Oceans and Fisheries |

12. Ministry of Oceans and Fisheries

| Law | Product Covered | Related Administrative Organization |
|--|---|--|
| Aquatic Life Disease Control Act | Aquatic animals and their products, Aquatic plants | National Fishery Products Quality Management Service |
| Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods, etc. | Certified products labelled as organic, Organic processed foods that have obtained equivalency recognition | Ministry National Agricultural Products Quality Management Service National Fishery Products Quality Management Service |
| Control of Livestock and Fish Feed Act | Feed specified and publicly notified by the Ministry | National Agricultural Cooperative Federation Feed-related organization |
| Agricultural Products Quality Control Act | Marine animals and marine animal products | National Fishery Products Quality Management Service |

13. Nuclear Safety and Security Commission

| Law | Product Covered | Related Administrative Organization |
|--|---|---|
| Nuclear Safety Act | Nuclear materials Radioactive isotope Radiation generating device | Nuclear Safety and Security Commission Korea Foundation of Nuclear Safety |
| Act on Protective Action Guidelines Against Radiation in the Natural Environment | Source material By-products from processing | Korea Institute of Nuclear Safety |

14. Ministry of Food and Drug Safety

| Law | Product Covered | Related Administrative Organization |
|--|--|--|
| Safety, Management, etc. of Human Tissue Act | Human tissue | Ministry Regional office of Food and Drug Safety Korea Pharmaceutical Traders Association |
| Pharmaceutical Affairs Act | Drugs, Drug substances, Quasi-drugs | Ministry Regional office of Food and Drug Safety Korea Pharmaceutical Traders Association Korea Animal Health Product Association |
| Narcotics Control Act | Narcotic drugs and psychotropic substances Cannabis Precursors of narcotic drugs and psychotropic substances | Ministry Korea Pharmaceutical Traders' Association |
| Cosmetics Act | Cosmetics | Ministry Korea Pharmaceutical Traders Association |
| Food Sanitation Act | Food, food additives, apparatus, containers and packages | Ministry Regional office of Food and Drug Safety |
| Medical Devices Act | Medical devices | Ministry Regional office of Food and Drug Safety Korea Medical Devices Industry Association |
| Health Functional Foods Act | Health functional foods | Ministry Regional office of Food and Drug Safety |

| Law | Product Covered | Related Administrative Organization |
|--|--|---|
| Livestock Products Sanitary Control Act | Livestock products | Ministry Regional office of Food and Drug Safety |
| Special Act on Imported Food Safety Control | Food, food additives, apparatus, containers and packages Health functional food Livestock products | Ministry Regional office of Food and Drug Safety |
| Cleansing and Hygiene Products Control Act | Hygiene products | Ministry Regional office of Food and Drug Safety |
| Advanced Regenerative Medicine and Advanced Biomedicine Safety and Support Act | Advanced Bio-medicine, Human cells | Ministry Regional office of Food and Drug Safety Korea Pharmaceutical Traders Association |
| Act on In Vitro Diagnostic Medical Devices | In Vitro Diagnostic Medical Devices | Ministry Regional office of Food and Drug Safety Korea In Vitro Diagnostics Association |

15. Ministry of Land Infrastructure and Transport

| Law | Product Covered | Related Administrative Organization |
|---------------------------------------|--------------------------|--|
| Motor Vehicle Management Act | Motor vehicles | Ministry |
| Construction Machinery Management Act | Construction machineries | Ministry |

sample forms

수입승인(신청)서 **Import License (Application)**

처 리 기 간 : 1일
Handling Time: 1 Day

| | | | |
|--|---------------------------------|---|----------------------|
| ① 수입자 무역업 신고번호 (Importer) (Notification No.) 상호, 주소, 성명 (Name of firm, Address, Name of rep') (서명 또는 인) (Signature) | | ⑤ 송화인(Consignor) 상호, 주소, 성명 (Name of firm, Address, Name of rep') | |
| ② 위탁자 사업자 등록번호 (Requester) (Business No.) 상호, 주소, 성명 (Name of firm, Address, Name of rep') (서명 또는 인) (Signature) | | ⑥ 금액(Total Amount) ⑦ 결제기간(Period of payment) ⑧ 가격조건(Terms of Price) | |
| ③ 원산지(Origin) | | ④ 선적항(Port of Loading) | |
| ⑨ HS부호 (HS code) | ⑩ 품명 및 규격 (Description/Size) | ⑪ 단위 및 수량 (Unit/Quantity) | ⑫ 단가 (Unit Price) |
| | | ⑬ 금 액 (Amount) | |
| ⑭ 승인기관 기재란(Remarks to be filled out by an Approval Agency) | | | |
| ⑮ 유효기간(Period of Approval) | | | |
| 승인번호(Approval No.) | | | |
| 승인기관 관리번호(No. of Approval Agency) | | | |

< 위의 신청사항은 대외무역법 제11조제2항 및 동법시행령 제18조제1항의 규정에 의하여 승인합니다.

(The undersigned hereby approves the above mentioned goods in accordance with Article 11(2) of the Foreign Trade Act and Article 18(1) of the Enforcement Decree of the said Act.)

20 년 월 일
승인권자 (인)

※ 승인기관이 2이상인 경우 ⑭ - 의 기재사항은 이면에 기재하도록 합니다.

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ANNEX II**APPLICABLE LIST ON AIRCRAFT PART ABOUT IMPORTED RESTRICTION**

| HS CODE | HOW TO IMPORT |
|----------------|---|
| 3920.99.1000 | These items should be imported with an approval of Korea Aerospace Industries Association |
| 4011.30.0000 | |
| 4012.13.0000 | |
| 4012.20.1000 | |
| 4012.90.1040 | |
| 4013.90.1000 | |
| 4016.99.1010 | |
| 7007.11.1000 | |
| 7007.11.2000 | |
| 7007.21.1000 | |
| 7007.21.2000 | |
| 8407.10.0000 | |
| 8409.10.0000 | |
| 8411.11.1000 | |
| 8411.12.1000 | |
| 8411.21.1000 | |
| 8411.22.1000 | |
| 8411.81.1000 | |
| 8411.91.1000 | |
| 8411.99.1000 | |
| 8412.10.1000 | |
| 8412.90.1010 | |
| 8412.90.1090 | |
| 8413.30.1000 | |
| 8414.10.1000 | |
| 8414.51.1000 | |
| 8802.20.9000 | |
| 8802.30.1000 | |
| 8802.30.2000 | |
| 8802.30.3000 | |
| 8802.30.9000 | |
| 8802.40.1000 | |
| 8802.40.2000 | |
| 8802.40.3000 | |
| 8802.40.9000 | |
| 8802.60.1010 | |
| 8802.60.1090 | |
| 8802.60.2000 | |
| 8802.60.3000 | |
| 8803.10.0000 | |
| 8803.20.0000 | |
| 8803.30.1000 | |
| 8803.30.2000 | |
| 8803.90.1000 | |
| 8803.90.2000 | |
| 8803.90.9000 | |
| 8804.00.1000 | |
| 8804.00.2000 | |
| 8804.00.9010 | |
| 8804.00.9020 | |
| 8805.10.1010 | |
| 8805.10.1090 | |
| 8805.10.2010 | |
| 8805.10.2090 | |
| 8805.10.9010 | |
| 8805.10.9090 | |
| 8805.21.1010 | |
| 8805.21.1090 | |
| 8805.21.2010 | |
| 8805.21.2090 | |
| 8805.29.1010 | |

| HS CODE | HOW TO IMPORT |
|--------------|---------------|
| 8805.29.1090 | |
| 8805.29.2010 | |
| 8805.29.2090 | |
| 9014.10.1010 | |
| 9014.10.2010 | |
| 9014.20.0000 | |
| 9014.90.1000 | |
| 8414.59.1000 | |
| 8414.60.1000 | |
| 8414.80.9110 | |
| 8421.23.2000 | |
| 8421.29.4000 | |
| 8421.31.2000 | |
| 8421.39.9030 | |
| 8466.20.1000 | |
| 8483.10.1000 | |
| 8483.20.1000 | |
| 8483.30.1000 | |
| 8483.40.1010 | |
| 8483.40.1090 | |
| 8483.50.1000 | |
| 8483.60.1000 | |
| 8483.90.1000 | |
| 8511.10.1000 | |
| 8511.20.1000 | |
| 8511.30.1000 | |
| 8511.40.1000 | |
| 8511.50.1000 | |
| 8511.80.1000 | |
| 8511.90.1000 | |
| 8526.10.1000 | |
| 8526.91.1010 | |
| 8526.91.2010 | |
| 8526.91.3010 | |
| 8526.91.9010 | |
| 8544.30.0000 | |
| 8801.00.1000 | |
| 8801.00.9010 | |
| 8801.00.9090 | |
| 8802.11.1000 | |
| 8802.11.9000 | |
| 8802.12.1000 | |
| 8802.12.9000 | |
| 8802.20.1000 | |
| 8802.20.2000 | |
| 8802.20.3000 | |
| 9032.10.1020 | |
| 9032.81.1010 | |
| 9032.81.2010 | |
| 9032.81.9010 | |
| 9032.89.2010 | |
| 9032.89.3010 | |
| 9032.89.9010 | |
| 9032.90.1000 | |
| 9401.10.0000 | |