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Committee on Import Licensing

Original: French

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹**NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON
IMPORT LICENSING PROCEDURES (2021)****MALI**

The following communication, dated 8 March 2021, is being circulated at the request of the delegation of Mali.

Outline of Systems

1. The import licensing system is governed by Decree No. 00-505/P-RM of 16 October 2000 on the regulation of foreign trade, Implementing Order No. 09-788 of 7 April 2009 and Interministerial Order No. 2015-1535/MIC/MEF-SG of 15 June 2015 establishing the list of prohibited imports and exports. The licensing system is administered by the Directorate-General of Trade, Consumer Affairs and Competition.

Purposes and Coverage of Licensing

Trade is free with all countries and foreign trade is governed by the following two regimes:

2(a) Free trade regime

Certificates of intention to import for goods are generally issued automatically, unless they fall under the prohibition regime.

All products may be imported freely except for those on the list of prohibited products. Quotas are not applied in terms of either value or quantity. The import document, known as the certificate of intention to import, is issued automatically.

(b) The prohibition regime comprises:

- Absolute prohibition; and
- Restrictive prohibition.

(i) Absolute prohibition:

No possibility of a licence or certificate of intention to import.

(ii) Restrictive prohibition:

- medicines for human use: authorization from the ministry responsible for health;
- medicines for veterinary use: joint authorization from the ministries responsible for health and for livestock;

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

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- meat other than that of bovine animals and game: presentation of a permit or a health certificate of origin;
 - food additives: list to be drawn up by the ministry responsible for health;
 - non-iodized salt not intended for human consumption: authorization from the ministry responsible for trade;
 - cigarettes, tobacco and other tobacco products: authorization from the ministry responsible for trade;
 - transit of cattle and importation of live animals other than bovine animals: presentation of an animal health certificate;
 - animal semen: registration in the official national catalogue of the importing country and presentation of an animal health certificate;
 - plants: presentation of a permit or a phytosanitary certificate of origin;
 - plant seeds: presentation of a permit or certificate of origin;
 - motor vehicles with a GVW of 3.5 tonnes or more: authorization from the relevant departments of the Ministry of Transport;
 - ozone-depleting substances: list to be drawn up by the ministry responsible for the environment;
 - dichlorodiphenyltrichloroethane (DDT): authorization from the relevant departments of the ministry responsible for the environment;
 - cyanide: authorization from the relevant departments of the ministries responsible for mining and for health;
 - arms and ammunition: authorization from the ministry responsible for defence;
 - explosives and detonation equipment: authorization from the ministry responsible for defence and the relevant departments of the ministry responsible for mining;
 - HF radios: authorization from the ministry responsible for defence;
 - VHF radios: authorization from the ministry responsible for defence;
 - UHF ground-to-air radios: authorization from the ministry responsible for defence;
 - radio-relay stations: authorization from the ministry responsible for defence;
 - satellite communication equipment: authorization from the ministry responsible for defence;
 - electronic and electromagnetic jamming systems: authorization from the ministry responsible for defence;
 - observation drones: authorization from the ministry responsible for security;
 - ground surveillance radars: authorization from the ministry responsible for defence;
 - air surveillance radars: authorization from the ministry responsible for defence;
 - direction-finding systems: authorization from the ministry responsible for defence;
 - electromagnetic wave capture systems: authorization from the ministry responsible for security;
 - night vision binoculars and goggles: authorization from the ministry responsible for security;
 - laser rangefinders: authorization from the ministry responsible for security;
 - metal detectors: authorization from the ministry responsible for security;
 - single-cab and double-cab pickup trucks with engines of six cylinders or more: authorization from the ministry responsible for security;
 - portable magnetic detectors: authorization from the ministry responsible for security;
 - demining kits: authorization from the ministry responsible for security;
 - demining suits: authorization from the ministry responsible for security;
 - electric and pyrotechnic detonators: authorization from the ministry responsible for security;
 - detonating cords: authorization from the ministry responsible for security;
 - safety fuses: authorization from the ministry responsible for security;
 - fabrics, clothing and accessories for military use (fatigues and camouflage clothing): authorization from the ministry responsible for defence;
 - spare parts for military equipment: authorization from the ministry responsible for defence;
 - berets, hoods, hats, helmets, caps, kepis and other headgear for military use: authorization from the ministry responsible for defence.

3. The system applies to goods originating in and coming from all countries.
4. No, the system of certificates of intention to import does not restrict either the quantity or the value of imports; its purpose is purely statistical. There are no particular alternative methods related to the import licensing system.
- 5(i) Licensing is not statutorily required.
- (ii) Yes, it is possible for the government to suspend or even abolish the system without legislative approval.
- (iii) Decree No. 00-505/P-RM of 16 October 2000 on the regulation of foreign trade and Implementing Order No. 09-788 of 7 April 2009 were published in the Official Journal of Mali.

Procedures

6. No products are under restriction as to the quantity or value of imports.
- I. There are no product quotas. Information concerning formalities for filing applications for licences (certificates of intention to import) appears in the texts mentioned in point 5(iii) and in Mali's Commercial Code. There are no exemptions from these formalities.
- II. There are no quotas.
- III. Licences (certificates of intention to import) are issued to all importers regardless of whether or not they are producers of like goods. Given that there are no quotas, importers are free to use their certificates of intention to import as they wish. The certificates are issued individually. The list of certificate holders is not published in the Official Journal.
- IV. There are no quotas; certificates of intention to import are issued automatically.
- V. Certificates of intention to import are issued automatically within 24 hours of the application being filed.
- VI. There is no minimum length of time in respect of certificates of intention to import. Once granted, they may be applied immediately.
- VII. Applications for certificates of intention to import are registered by the Directorate-General of Trade, Consumer Affairs and Competition (Single Window for Foreign Trade).
- VIII. The demand for certificates of intention to import is fully satisfied. Applications are examined upon receipt on a first come, first served basis, provided that all of the necessary conditions are met.
- IX. Not applicable.
- X. Not applicable.
- XI. Yes, and in the case of products manufactured by free zone enterprises.
- 7(a) There is no time limit for the submission of applications for certificates of intention to import. However, the certificate must be issued before the goods are shipped, for inspection purposes.
- (b) In all cases, certificates of intention to import are issued automatically provided that the importer meets the necessary conditions and the products do not come under the prohibition regime.
- (c) There is no particular period of the year for the submission of applications for certificates of intention to import. Applications for certificates of intention to import may be submitted at any time of year.

- (d) Importers may approach either the Directorate-General of Trade, Consumer Affairs and Competition (Single Window for Foreign Trade) or its regional representative offices.

8. Reasons for refusal are stated directly on the application filed by the applicant. In the event of a refusal, the applicant is free to appeal the decision before any competent body, notably the Trade Tribunal.

Eligibility of Importers to Apply for Licence

9. Only approved natural or legal persons (i.e. those meeting the requirements under current regulations in this area, namely registration in the Trade and Personal Property Credit Register and possession of a valid import-export trading licence and a tax identification number) are authorized to engage in import operations.

Documentational and Other Requirements for Application for Licence

10. A sample application form for certificates of intention to import is available from the Single Window and regional representative offices. Applicants must attach a pro forma invoice to their application.

11. The documents required upon actual importation are:

- a certificate of intention to import;
- a declaration for home use;
- a definitive invoice or bill of lading/airway bill;
- a preshipment inspection certificate from the inspection company in cases where the f.o.b. value of the goods is CFAF 3,000,000 or more.

12. The importer pays 0.75% of the f.o.b. value as a contribution to the Import Inspection Programme.

13. No deposit or advance payment is required for the issue of a certificate of intention to import.

Conditions of Licensing

14. The period of validity of a certificate of intention to import is twelve (12) months from the date on which it is registered with the Directorate-General of Trade, Consumer Affairs and Competition. It may be extended for a further six (6) months at the importer's request. All extension requests must be submitted to the Directorate-General of Trade, Consumer Affairs and Competition before the expiry of the original period of validity. A certificate of intention to import may only be extended once. A special extension of a maximum period of one (1) month may, however, be granted to allow for financial transfers to suppliers.

15. There is no penalty for the non-utilization of a certificate of intention to import or a portion thereof.

16. Certificates of intention to import are personal and cannot be transferred.

17. No particular conditions are attached to the issue of a certificate of intention to import.

Other Procedural Requirements

18. No administrative procedures are required prior to importation once the certificate of intention to import has been obtained.

19. For goods that are to be imported, foreign exchange is transferred from the client's bank to the supplier's bank (payment by bank transfer). Foreign exchange may be obtained without an import licence (certificate of intention to import) for other payments not concerning imported goods. Foreign exchange is always available for any licence (certificate of intention to import) issued. In order to obtain foreign exchange, it is necessary to contact a financial and/or banking institution and any authorized intermediary or the Postal Administration. This leads to the establishment of an "exchange authorization" form, which has to be endorsed by the intermediary responsible for payment.