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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 (2015)

MAURITIUS

The following notification, dated 30 September 2015, is being circulated at the request of the delegation of Mauritius.

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1 MINISTRY OF ENVIRONMENT, SUSTAINABLE DEVELOPMENT, AND DISASTER AND BEACH MANAGEMENT.

1.1 Refrigerants containing Hydro chlorofluorocarbons (HCFC)

Outline of system

1. Mauritius has successfully implemented its Chlorofluorocarbons (CFC) Phase out Management Plan since 2005 and importation and use of CFC have been completely banned. Presently, an Hydro chlorofluorocarbons (HCFC) Phase out Management Plan (HPMP) has been developed and the importation of HCFC is being controlled. A quota system has been set up.

Following request from importers of refrigerants, the National Ozone Unit of the Ministry of Environment, Sustainable Development, and Beach and Disaster Management issue a clearance to the importers. The Customs Department of the Mauritius Revenue Authority and the Dangerous

¹ See document G/LIC/3.

Chemical Control Board (DCCB) of the Ministry of Health and Quality of Life are informed of our no-objection and DCCB issues the licence for importation.

Additionally, importation of equipment using HCFC as refrigerant is banned.

Purpose and coverage of licensing

2. Importation of all HCFC or refrigerants containing HCFC requires import Licence.
3. The system applies to goods originating from anywhere in the world.
4. The Licensing system is to restrict the quantity of the HCFC refrigerants being imported based on the quota as defined in the HCFC Phase out Management Plan (HPMP).
5. The importation is controlled as per quota defined in the Hydro chlorofluorocarbons (HCFC) Phase out Management Plan (HPMP). It is to be noted that a regulation has been prepared and is expected to be in force shortly.

Procedures

- 6.I. All the importers of refrigerants have been informed of the quota system.
 - II. Quota is determined on a yearly basis. However, clearance for licences is issued as and when required by the importers. Importers have to make the request for clearance for licence every time they intend to import. They need to indicate the amount as well as country of origin.
 - III. Refrigerants are not produced locally. Unused allocations are not added to quotas for succeeding period. No, names of importers have not been made known to export promotion bodies of exporting countries, as no such request has been made. However, there would be no problem to communicate these details if ever there is such a request.
 - IV. There are no specific conditions but preferably the importers should submit their request two working days before hand.
 - V. There are no specific conditions but generally the requests are processed within two days.
 - VI. No restriction, subject to importation is done within the same calendar year.
 - VII. No. The National Ozone Unit (NOU) of the Ministry of Environment, Sustainable Development, and Beach and Disaster Management process only the no-objection and certifies that the refrigerant in question can be imported. It is the Dangerous Chemical Control Board of the Ministry of Health and Quality of Life which grants the Licence.
 - VIII. It happens that some importers exceed their quotas and make additional requests. Reallocation can be done if only the other importers have not fully used their quotas. A quota system to be established as from 2013 based on the average import during 2009 – 2010 for those importers who were registered during the said two years. A quota has also been assigned for new importers. Applications are examined on receipt.
 - IX. For any importation of HCFC an import licence is obligatory.
 - X. No such mechanism.
 - XI. No. The imported refrigerant can be re-exported, but the exporters need to again get the clearance from the NOU and licence from the DCCB.
- 7.(a) Same as the above procedure.
 - (b) It is possible, but still two days advance request is preferred.
 - (c) No.

(d) Same as above procedure

8. Application for a licence may be refused if the quota has been met. The importer is informed accordingly. The importer may contact the NOU and confirm whether unused allocation for other importers can be reallocated.

Eligibility of importers to apply for a permit

9. All persons, firms and institutions are eligible to apply for licences. The NOU does charge any registration fee. There is no published list of importers at the level of NOU.

Documentational and other requirements for applications for permits

10. The importer must send a letter to the NOU and copied to the DCCB and specify the following:
- Type of refrigerants.
 - Type of container.
 - Weight per unit.
 - Country from where it is imported.

A MSDS of the product can also be submitted by the importer, though not binding.

11. Production of clearance from DCCB is required prior to granting Customs release.

12. The NOU does charge any registration fee.

13. No fees and deposit is applicable.

Conditions of licensing

14. The licence is valid as from the date of issue to the date the refrigerants are cleared from the Customs.

15. There is no penalty by the NOU in case of non-utilisation of the licence.

16. Licences are not transferable between importers.

17. While issuing the clearance by the NOU, the importers are requested to also seek clearance from the DCCB.

Other procedural requirements

18. No at the level of NOU.

19. To be confirmed by banking authorities.

1.2 Permit system under the Environment Protection (Polyethylene Terephthalate (PET) bottle Permit) Regulations 2001 to bottle beverage in a PET bottle.

Outline of System

1. PET bottles have over the past years become the container of choice in the beverage industry replacing substantial quantities of glass bottles. About 100 million PET bottles are generated annually from the Beverage industry. The rise in the one-way no deposit mechanism for PET bottles has greatly contributed to the problem of littering in the country. Waste PET bottles also pose serious constraint in landfilling with regard to the large volume they occupy and the extremely slow decomposition rate (about 500 years).

Local companies wishing to bottle a beverage in a PET bottle should apply for a permit with the Department of Environment. A processing fee of Rs. 10,000 is charged for each permit.

Subject to meeting the conditions attached to the permit such as engaging the services of a PET recycler for the collect of used PET bottles from the waste stream and submitting annual returns on PET produced and waste PET collected for recycling; a permit is issued to the company with a validity of 3 years. The permit is renewable subject to the satisfaction of the Director of Environment on compliance to conditions imposed under the permit.

Purpose and Coverage of Licensing

2. Permit to bottle soft drinks and water in PET bottles.
3. The system applies to the local bottling of beverage in a PET bottle. (*Regulations will be amended in near future to include importation of beverage and foodstuffs in PET bottles*).
4. The permit system is not intended to restrict the quantity of production.
5. The permit system falls under the Environment Protection (Polyethylene Terephthalate (PET) bottle Permit) Regulations 2001.

Procedures

- 6.I. Not applicable.
- II. N/A.
- III. Regulations will be reviewed with the State Law Office to extend the scope of the PET bottling permits to local production and importation of foodstuffs in a PET bottle/ container.
- IV. N/A.
- V. Approximately one month to process permit.
- VI. N/A.
- VII. Processing of permit by the Ministry of Environment, SD, Disaster and Beach Management only.
- VIII. Permit is issued if company takes engagement to meet conditions attached to the permit.
- IX. N/A.
- X. N/A.
- XI. N/A.
- 7.(a) N/A.
- (b) N/A.
- (c) N/A.
- (d) N/A.
8. Permit may be revoked if company is not complying with conditions attached to it. Company will be requested to write to the Director of Environment as to why the permit should not be revoked.

Eligibility of Importers to apply for Licence

9. The beverage industries that have a PET permit are: Phoenix Beverages Ltd, Quality Beverages Ltd, Vital Water bottling Company Ltd, Eau Val Ltée, Global Direct Foods Ltd and Vivalo Ltée.

Documentation and other requirements for application for licence

10. Returns on expected annual PET production and contract with a PET recycler for the collection of waste PET for recycling.

11. N/A.

12. Rs. 10,000 as processing fee.

13. N/A.

Conditions of Licensing

14. Three years and renewable thereafter.

15. N/A.

16. Permit not transferable.

17. N/A.

Other procedural requirements

18.

19.

2 MINISTRY OF INDUSTRY, COMMERCE AND CONSUMER PROTECTION (COMMERCE DIVISION)**Outline of System**

1. Import permit system is regulated by the Consumer Protection (Control of Imports) Regulations 1999 establishing the list of goods subject to import control. (list of controlled and prohibited goods was submitted in notification dated 26 September 2014 in G/LIC/N/3/MUS/4), the system is administered by the Trade Division, Ministry of Industry, Commerce and Consumer Protection.

Purposes and Coverage of Import Permits

2. Imports of controlled goods are subject to automatic licensing through an import permit being granted and issued.

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

4. Import permits are enforced for reasons of security, sensitivity, health and environment.

5. Import control is regulated under the Consumer Protection (Control of Imports) Regulations 1999 and approval from the Minister responsible for Commerce has to be sought for any change in the list of controlled goods.

Procedures

6. For products under restriction, it is related to second hand motor vehicles, whereby an individual or firm (other than an authorised dealer or a taxi owner/driver) is entitled to import one motor car every 5 years; an authorized dealer is not subject to any restriction; a taxi owner/driver is entitled to import one motor car every 4 years; an individual or firm (other than an authorised dealer) is entitled to import one lorry/truck every 5 years; and an individual or firm (other than an authorised dealer) is entitled to import one van every 5 years. This information is available in the Consumer Protection (Control of Imports) Regulations 1999.

7. An application for an import permit has to be made prior to the importation of controlled goods and the import permit may be granted on the same day. For some controlled goods, appropriate recommendations are sought by the Ministry prior to approval of the permit.

8. The refusal to issue an import permit may occur where the importer fails to comply with any provision of the Consumer Protection (Control of Imports) Regulations 1999.

Eligibility of Importers to Apply for Permit

9. All applications are made through the TradeNet System via a customs broker. A firm is presently registered in the system, free of charge, prior to sending its application. With regards to authorised dealer, the company must be a holder of a valid licence of authorised dealer in importation and sale of second-hand motor vehicles as per the Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) Regulations 2004.

Documentational and Other Requirements for Application for Permit

10. The documents required upon applications are based on what are being imported, for some goods, only the application is required while for other goods, the proforma invoice and additional documents may be requested.

11. Upon actual importation, an importer is required to submit the bill of lading and invoice as well as additional documents depending on what is being imported and coming from which countries.

12. There is no import permit fee or administrative charge.

13. There is no deposit or advance payment requirement associated with the issuance of permits.

Conditions of Import Permits

14. An import permit is valid for a maximum period of 12 months.

15. There is no penalty for non-utilization of a permit or a portion of it.

16. The import permit is not transferable.

17. An import permit is subject to any conditions that the Permanent Secretary may impose.

Other Procedural Requirements

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

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

3 MINISTRY OF AGRO-INDUSTRY AND FOOD SECURITY

3.1 National Agricultural Products Regulatory Office

Outline of System

1.

Purposes and coverage of licensing

2. Import of;

(i) Tea and tea products; and

- (ii) Tobacco and tobacco products are subject to import clearance (similar to automatic licensing), and the system has no trade restricting effects.

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

4. The clearance system is for statistical purposes and to ensure that the products are in conformity with local regulations.

5. The system is under the National Agricultural Products Regulatory Office Act 2013, and the National Agricultural Products Regulations 2013. Regulated products are listed under the First Schedule of the Act.

Procedures

6.I. Information concerning filing of applications for clearances are provided at the Office, by phone and by mail upon request.

II. There is no quota.

III. Clearances are issued to importers regardless of whether they are producers of like products or not.

IV. Not applicable.

V. Applications for clearance are usually processed on the same day or on the next working day.

VI. Not applicable.

VII. Application for clearance is considered by one administrative body. However, import of tea products should be accompanied by a phytosanitary certificate issued by the appropriate authority of the country of origin. The prospective importer should therefore call at the National Plant Protection Office for a Plant Import Permit.

VIII. Applications are considered on receipt.

IX. There is no bilateral quotas or export arrangements. Export permits from exporting countries are not required.

X. Not applicable.

XI. Import clearances are for products for sale in the domestic market.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country:

(a) Applications may be made a few days before or upon arrival of goods at the port.

(b) The application may be approved immediately on request but authorization to remove the goods from the port or bonded warehouse is conveyed after inspection.

(c) There are no limitation as to the period of the year during which application for clearance may be made.

(d) Consideration of applications for tea and tobacco products are effected by one administrative organ, NAPRO.

8. None.

Eligibility of Importers to Apply for Clearance

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

Documentational and Other Requirements for Application for Clearance

10. The application form is available at the NAPRO office and a sample form is posted on its web page which will soon be placed on the web site of the Ministry.

11. Upon importation the importer is required to submit the approved application together with the invoice and bill of lading and a phytosanitary certificate for tea products.

12. There is an application and a clearance fee.

13. No deposit or advance payment is required.

Conditions of Clearance

14. A clearance for the import of tea products is valid for a period of one month; that for tobacco products is valid for six months as from date of issue. Request for extension may be considered.

15. There is no penalty for non-utilization of a clearance or part thereof, but the fee paid is not refundable.

16. Clearances are for the products specified on the application form.

17. Conditions for clearance are listed on the application form.

Other procedural Requirements

18. There is no other administrative procedure at NAPRO prior to importation but prospective first time importers must submit appropriate documents identification/registration.

19. Foreign exchange is provided by banking authorities without impediments.

3.2 National Parks and Conservation Service (NPCS)

Outline of System

1.

Purposes and coverage of licensing

2.(a) Import of CITES listed specimens

In accordance with section 17(1) of the Wildlife and National Parks Act of 1993, an import permit is needed for the importation of prescribed wildlife under CITES. In that respect CITES import permits are issued by NPCS as the CITES Management Authority of Mauritius against payment of a prescribed fee.

(b) Import of exotic wildlife other than livestock and fish

In accordance with 23(1) of the same act, a permit is needed for the importation of living animal other than livestock and fish. In that respect an introduction for live animal permit (ILA) is delivered by the NPCS permit office against payment of a prescribed fee.

Procedures (6 – 8)

Written applications are submitted to Director (NPCS) for both categories of permits. Application forms for ILA permit are also available at NPCS office.

Minimum time for processing applications:

(a) Cites permit -3 working days;

(b) ILA permit- 10 working days.

Maximum time for processing applications

- (a) CITES permit- 10 working days;
- (b) ILA permit - 60 working days in case applications should receive clearance of National IAS committee.

Section 10(1) and (2) of the Wildlife Regulations (1998) allows the authorized officer to refuse an application for a permit.

- 3. The system applies to goods originating in and coming from all countries.
- 4. Apply in CITES cases.
- 5. Act

Eligibility of importers to apply for licence

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

Documentation and other requirements for application for licence. (10 – 13)

A sample form for application of ILA permit is enclosed.

A fee of Rs 300 is claimed for each CITES permit issued.

A fee of Rs 50 is claimed for each ILA permit issued.

Conditions of licence (14 – 17)

CITES import permit for Appendix I is 12 months valid while ILA permit is six months valid.

Other procedural requirements (18 – 19)

None.

3.3 Veterinary Services

Outline of System

- 1.

Purposes and Coverage of Import Permit

- 2. Import of:
 - (a) Live animals;
 - (b) Products of animal origins; and
 - (c) Meat and meat products.
- 3. None.
- 4. Import Permit design to protect the country against sanitary threat in line with the WTO SPS Agreement.
- 5. Animal Disease Act 1925 and subsequent regulations.

Procedures

- 6.(I) All relevant information for import of live animals, products of animal origins and meat and meat products are available online and for information leaflets at the Veterinary Services.

- (II) Import Permit is valid for the following categories as follows:
- Live cattle 3 months.
 - Dog 6 months.
 - All other products as mentioned above three months.
- (III) Import Permits are allowed for domestic consumption.
- (IV) Not Applicable.
- (V) Minimum time for processing application: 7 days, maximum time 15 days.
- (VI) Imports are allowed immediately upon granting of permits.
- (VII) For most products mentioned under Number 2 above permit is delivered by division of Veterinary Services. In the case of animal feed (containing plant materials) and fodder the clearance of the NPPO is also required.
- (VIII) NA.
- (IX) NA.
- (X) NA.
- (XI) Import permits are for delivered for domestic consumptions but in some cases there may be for transit purposes.
7. Where there is no quantitative limit on importation of a product or on imports from a particular country:
- (a) In case of emergency permit may be granted in one day. Normal time for permit delivery is two weeks. Goods arriving at the port without a license is not allowed.
- (b) Yes, provided all sanitary conditions are satisfied.
- (c) No.
- (d) For most products mentioned under Number 2 above permit is delivered by division of Veterinary Services. In the case of animal feed (containing plant materials) and fodder the clearance of the NPPO is also required.
8. Imports permits are only refused in case of sanitary threats to the country. Applicants have the right of appeal and justifications are provided for any refusal.

Eligibility of Importers to Apply for Clearance

9. All persons are eligible to apply for import permits.

Documentation and Other Requirements for Application for Clearance

10. *Live animals*

- (a) Copy of all test certificates and sanitary conditions of exporting country.
- (b) Quarantine facilities if any.

Animal Products

- (a) Copy of all test certificates and sanitary conditions of exporting country.
 - (b) Facility of storage.
11. Original of documents mentioned at (10) above.
12. Import Fees:
- Horses – Rs 1,000 per animal.
 - Cats and dogs – Rs 500 per animal.
 - Caged birds – Rs 100 for every 10 birds or less.
 - Cattle, goats and sheep – Rs 10 Per animal.
 - Other live animals – Rs 200 per animal.
 - Meat intended for human consumption Rs 100/permit together with an additional sum of Rs 50 for each ton of meat or less.
 - Other items – Rs 100 permit.
 - Veterinary clearance fee (live animals and pets): Rs 500.

13. No.

Conditions of Licensing

14. Import Permit is valid for the following categories as follows:
- Live cattle 3 months.
 - Dog 6 months.
 - All other products as mentioned above three months.

15. No.

16. No.

17. See (10) above.

Other procedural Requirements

18. No.

19. Foreign exchange is automatically provided by banking authorities for goods to be imported (no license is require as a pre-requisite). Foreign Exchange is always available for importers through direct application through the bank.

3.4 National Plants and Protection Office**Outline of System**

1.

Purposes and Coverage of Licensing

- 2. Plant input Permit (PIP) for Agricultural Produce of Plant Origin including resources from the soil (e.g. rocks).
- 3. The system applies to goods originating in and coming from all countries.
- 4. PIP is delivered for phytosanitary reasons.
- 5. Plants Protection Act 2006.

Procedures

6. For regulated products:

- (I) All relevant information for import of agricultural produce of plant origin including resources from the soil (e.g. rocks) are available online and for information leaflets at the NPPO.
- (II) The PIP is valid for a 3 months period.
- (III) PIP are delivered for domestic consumption. There may be cases of goods in transit where special arrangements are made between importers and the NPPO.
- (IV) N.A.
- (V) Minimum time for processing application: 2 days, maximum time 5 days.
- (VI) Imports are allowed immediately upon granting of permits.
- (VII) For most products mentioned under Number 2 above permit is delivered by NPPO. In the case of animal feed (containing plant materials) and fodder the clearance of the Veterinary Services is also required.
- (VIII) NA.
- (IX) NA.
- (X) NA.
- (XI) All PIP are delivered for goods intended for domestic consumptions unless for transit consignments.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country:

- (a) Application for PIP is made one week in advance in case of emergency, permit may be delivered within shorter time limits. Normal time for permit delivery is two weeks. No goods are allowed without a PIP.
- (b) Yes, provided all relevant documents are submitted and phytosanitary conditions are satisfied.
- (c) No.
- (d) For most products mentioned under Number 2 above permit is delivered by NPPO. In the case of animal feed (containing plant materials) and fodder the clearance of the Veterinary Services is also required.

8. Imports permits are only refused in case of phytosanitary threats to the country. Applicants have the right of appeal and justifications are provided for any refusal.

Eligibility of Importers to Apply for Clearance

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

Documentation and Other Requirements for Application for Clearance

10. Name of importer, contact details, name of exporter, product name (scientific name), country of origin, and quantity.

11. Original of documents mentioned at (10) above.

12. Import Fees:

- Application Fee – Rs 50.

13. No deposit or advance payment required with the issue of PIP.

Conditions of Licensing

14. PIP is valid for a period of three months.

15. No.

16. No.

17. Conditions of PIP base on phytosanitary reasons.

Other procedural Requirements

18. No.

19. Foreign exchange is automatically provided by banking authorities for goods to be imported (no license is require as a pre-requisite). Foreign exchange is always available for importers through direct application through the bank.
