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REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES[1]

NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES (2021)

NORWAY

The following communication, dated 15 April 2021, is being circulated at the request of the delegation of Norway.

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

1. AGRICULTURAL PRODUCTS

Outline of system

1. There are two automatic licensing systems present in Norway. This includes a licence for certain products which might be used as feed in domestic animal production (see A below). This is introduced as part of the comprehensive price and market system in the grain and feeding stuff sector.

There is also (see B below) an automatic licensing of certain agricultural products that are substitutes to domestically produced grains, and are imported both duty-free and out of quota, from least-developed countries (LDCs) and low-income countries (LICs) with less than 75 million inhabitants). This system aims at insuring that import from these countries will not cause serious market disturbances in the domestic market. If the expected import volumes of grain and feed-products reach a level where the volumes threaten to cause market disturbances, a safeguard mechanism might be brought into force. Another rationale behind this system is to give priority to imports from the poorest developing countries.

A. Import Licence for Certain Products which Might be Used as Feeding Stuff in Domestic Animal Production

Purposes and coverage of licensing

2. This licence is required for all importers, and a licence is issued to all importers who have handed in an end-use statement to the Norwegian Agriculture Agency. (The Norwegian Agriculture Agency is administratively under the Ministry of Agriculture and Food and has been delegated the entire responsibility of administering the import regime for agricultural products.) The end-use statement shall confirm that the products covered will not be used as feeding stuff in domestic animal production. The products covered by this regulation were listed in Annex 1 to Norway's 2008 notification. The system is introduced as part of the comprehensive price and market system for grains, meals and feeding stuff in Norway. The purpose is to secure that products suitable for use as feeding stuff are not imported under cover of another end-use, and therefore withheld from the tariffs applicable for feeding stuff products. In the Uruguay Round, the tariff equivalents of the former quantitative import restrictions on feeding stuff (the State monopoly for importation of feeding stuff) were calculated. This resulted in a system of dual tariffs on certain products so that higher tariffs are levied on products meant for use in animal production, and lower tariffs in case of other uses.

3. The system has a global application.

4. Imports are not regulated on a quantitative basis. The purpose is described under the reply to Question 2.

5. Regulation No. 556 of 9 June 1995 on import licences for certain products which can be used for animal feeding is introduced pursuant to the Act No.32 of 6 June 1997, concerning import- and export-regulations. This Act may not be abolished without legislative approval.

Procedures

6. There are no restrictions as to the quantity or value of imports.

I. Information on imports is given in the form of public announcements. The Agriculture Agency also sends information on changes in tariffs and related matters to enterprises and others who have asked to be put on an e-mailing list. Information is also provided on request.

II. It is not a quantitative measure.

III. Import licences apply to the applicant.

IV. N/A.

V. The normal processing time is one week.

VI. The licence is valid from the date the application is received.

VII. The Agriculture Agency has been delegated the entire responsibility of administering the import regime for agricultural products, including the issuing of licences. This body is under the Ministry of Agriculture and Food.

VIII. N/A.

IX. There are no special arrangements for products subject to export licensing in the exporting country.

X. N/A.

XI. This is not an arrangement under which import licences are issued on condition that the goods should be re-exported.

7. Under the system there is no quantitative limit on importation of a product or from a particular country.

(a) Licence is automatically issued to all importers who have handed in an end-use statement. The end-use statement must be submitted to the Norwegian Agriculture Agency before import licence is granted.

(b) Import applications must be written. The application will be handled without unnecessary delay.

(c) Applications for licences are not limited to any particular time of year.

(d) The Norwegian Agriculture Agency issues the licence.

8. If the applications meet the criteria, a licence is granted.

Eligibility of importers to apply for a licence

9. All applications are granted irrespective of the firm which makes the application.

Documentational and other requirements for application for licence

10. The following information is required in the application: Name and address of applicant, item number according to the Norwegian customs tariff, description of goods, end-use statement, country of origin, and other relevant information (such as date, signature, telephone number, reference).

11. At the actual time of importation, the original invoice must be presented along with a plant disease certificate and/or a veterinary certificated where this is required.

12. There are no charged levies or other licensing fees.

13. No deposit or advance payment is required for licensing.

Conditions of licensing

14. The end-use statement required for the issuing of import licences is time-limited, and a new statement must be handed in after the expiry date.

15. There is no penalty on licences which have not been used or on licences which have only been used partially.

16. Licences cannot be transferred between importers.

17. There are no other conditions attached to the issuing of licences except the above-mentioned.

Other procedural requirements

18. There are no other administrative procedures required prior to importation apart from veterinary, phytosanitary and quality regulations.

19. Foreign exchange is automatically provided.

B. Security Mechanism and Surveillance System for Duty- and Quota-Free Import of Grains, Flour and Feed Products from Least-Developed Countries (LDCs) and Low-Income Countries (LICs) with less than 75 Million Inhabitants

Purposes and coverage of licensing

2. This automatic licensing system covers imports of grains, flour and feed products from the least-developed countries (LDCs) and low-income countries (LICs) with less than 75 million inhabitants. The products covered by this regulation were listed in Annex 2 to Norway's 2008 notification.

3. The licensing system for grains, flour and feed products originating in LDCs and LICs with less than 75 million inhabitants applies only to products originating in these countries.

4. The intention of the system is, as described under the outline of the system, to prevent serious market disturbances. In case of an expected serious market disturbance caused by a major increase in import of grains, flour or feed-products from LDCs and LICs with less than 75 million inhabitants, the duty- and quota-free import of such products from these countries might be suspended.

5. Regulations pursuant to the introductory provisions to the customs tariff lay down provisions for the security mechanism and surveillance system for duty- and quota-free import of grains, flour and feed products from least-developed countries (LDCs) and low-income countries with less than 75 million inhabitants. The General System of Preferences is adopted by the Parliament (Stortinget).

Procedures

6. There are no quantity or value restrictions, as the licence is issued at the volume applied for, as long as the security mechanism is not activated.

7.(a) The licences are given for the following periods: 1 August–7 November, 8 November–24 April and 25 April–31 July. The application must be made at least 10 days before the period starts.

(b) See 7(a).

(c) See 7(a).

(d) The application is considered by the Norwegian Agriculture Agency.

8. N/A.

Eligibility of importers to apply for licence

9. All persons, firms and institutions are eligible to apply for licences as long as they are registered in the Register of Business Enterprises in Norway.

Documentational and other requirements for application for licence

10. The following information is required in the application: Name and address of applicant, item number according to the Norwegian customs tariff, description of goods, expected import date, country of origin, and other relevant information (such as date, signature, telephone number, reference). In addition, the Agriculture Agency might require a contract (or a confirmation) as to ensure that the import materializes.

11. At the actual time of importation, the original invoice must be presented along with a plant disease certificate and/or a veterinary certificated where this is required.

12. There are no charged levies or other licensing fees.

13. No deposit or advance payment is required for licensing.

Conditions of licensing

14. The licences are given for the following periods: 1 August – 7 November, 8 November-24 April and 25 April–31 July.

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

16. The licence is not transferable.

17. There are no other conditions attached to the issue of a licence except as described in replies two to nineteen.

Other procedural requirements

18. There are no other administrative procedures required prior to importation apart from veterinary, phytosanitary and quality regulations.

19. Foreign exchange is automatically provided.

2. ALCOHOLIC BEVERAGES

Outline of system

1. Alcoholic beverages may only be imported by parties who hold an import licence, an extended retail licence or a serving licence extended to cover imports. Alcoholic beverages may also be imported by Vinmonopolet. Private persons may, for their personal use, import alcoholic beverages without a licence. This is regulated by Act No. 27 on the Sale of Alcoholic Beverages (Alcohol Act) of 2 June 1989.

When a private person imports alcoholic beverages the Directorate of Health and the Customs and Excise Authorities may require documentation that the alcoholic beverage is for personal use, if the quantity, or other circumstances, give reason to believe that it is not. If such documentation cannot be submitted, the goods cannot be imported without authorization or licence mentioned above. This is regulated by Regulation No. 538 on the Sale of Alcoholic Beverages (Alcohol Regulation) of 8 June 2005.

Purposes and coverage of licensing

2. Alcoholic beverages covered by the import provisions in the Alcoholic Act are beverages containing more than 2.5% alcohol by volume. Alcoholic beverages containing more than 60% alcohol by volume can only be imported by undertakings holding an import licence in Norway (to be used in production).

The types of licensing systems that gives the right to import alcoholic beverages:

Trading activity

(a) Import licence in Norway.

(b) An extended retail licence in Norway.

(c) A serving licence extended to cover imports in Norway.

(d) Imports by Vinmonopolet.

Private imports for personal use require no licensing, but documentation that the alcoholic beverage is for personal use may be required.

3. The systems apply to alcoholic beverages from all countries.

4. The purpose is to curb the harm to the society and the individual that may result from the consumption of alcoholic beverages.

5. Trading activities under letters (a)–(e) in answer 2 are regulated by Act No. 27 on the Sale of Alcoholic Beverages (Alcohol Act) of 2 June 1989, Chapter 2. Authorization to engage in wholesaling is also regulated by Regulation No. 1451 of 11 December 2001 on special duties. Private imports for personal use are regulated by Regulation No. 538 of 8 June 2005 on the Sale of Alcoholic Beverages (Alcohol Regulation), Chapter 15, § 2-1, paragraph 3.

Procedures

6. There are no restrictions regarding quantities or value of alcoholic beverages imported to Norway. However, authorization/licence to import is required if the alcoholic beverage is not for personal use, cf. answer to question 1.

7.(a) Applications for authorization to be engaged in wholesaling one month in advance.

(b) Import licence is not required as long as the alcoholic beverage is for personal use.

(c) No.

(d) To obtain an authorization to be engaged in wholesaling, approaches have to be made to the Tax Assessment Office.

8. None. The applicant may appeal in accordance with Act on Tax Administration of 27 May 2016.

Eligibility of importers to apply for licence

9. All persons over 18 years old (over 20 years old for alcoholic beverages containing more than 22% alcohol by volume) are eligible to import alcoholic beverages for personal use. To be authorized to engage in wholesaling you must be a registered firm (at your current Tax Assessment Office) of good repute in relation to several acts. There is no registration fee.

Documentational and other requirements for application for licence

10. To be authorized to engage in wholesaling you have to provide the information required by the Tax Authorities in the form used for registration, on basis of the Act on Tax Administration Section 8-15 (2) of 27 May 2016, including information about the stock, the warehouse, the account routines and turnovers.

11. When wholesalers import the registration number must follow the imported goods.

12. No administrative charges.

13. No deposit required; however, Section 14-21 second paragraph of the Tax Payment Act provides that, at the time of registration or later, the Tax Assessment Office may require the undertaking to furnish security for excise duties that the entity becomes liable for in the future.

Condition of licensing

14. There is no validity period for the registration as liable for excise duties (wholesalers).

15. There is no penalty for non-utilization.

16. The licence is not transferable.

17. There are no other conditions.

Other Procedural Requirements

18. No

19. N/A

3. MEDICINAL PRODUCTS

Outline of system

1. A licence is necessary for companies who want to import medicinal products for (whole)sale. Personal imports from outside the EU/EEA-area are prohibited. However, the Norwegian Medicines Agency can permit an exception under special circumstances. In these cases, a licence is necessary. An import licence has to be applied for. In practice such licences are given when a shipment is stopped by the Customs, not in advance.

Purpose and coverage of licensing

2. The licensing systems are the two mentioned above. The products covered are all medicinal products.

3. Companies' imports: from all countries inside EU/EEA-area an import license is necessary. From countries outside this area a manufacturing–licence is necessary. Imports of medicinal product not intended for medical use can be imported from all countries. Personal imports: a licence after exception is needed from countries outside EU/EEA-area.

4. The overall purpose of the licensing system is to ensure that medicines sold on the Norwegian market have good quality, are effective and safe to use.

5. Medicinal Product Act No. 132 of 4 December 1992, §12 and §13, Regulation No. 1219 of 21 December 1993 regarding wholesaling, Regulation No. 1441 of 2 November 2004 regarding production and imports of medicinal products. The notion of a medicinal product is defined by the above regulation. A legislative approval is necessary to abolish the system.

Procedures

6. There are no such restrictions.

7.(a) Applications from companies shall be handled within 90 days, but there is usually a much shorter time-limit. The 90-days deadline follows from the EU Directive 2001/83/EC, Art.78, which is incorporated into the Wholesale Regulation No. 2. Goods arriving at the port without licence can under special circumstances be imported for the one case if it later will be given an import licence.

Applications from persons will be handled within one or a few days.

(b) Usually not, see 7(a).

(c) No.

(d) No, the licence is given by the Norwegian Medicines Agency. The Customs control the imports.

8. If the company is not registered in Norway, the application will be refused. The reason for a refusal will be given to the applicant. It is possible to appeal the decision to the Ministry of Health and Care Services under an administrative procedure. The applicant may also refer the matter to a court of law.

Eligibility of importers to apply for licence

9. Everyone, both companies and individuals, are eligible to apply for an import licence. Companies have to be registered in Norway. There is no registration fee. The Norwegian Medicines Agency

publishes a list containing the companies which have an import licence, see https://legemiddelverket.no/english/import-wholesaling-and-retailing.

Documentational and other requirements for application for licence

10. An application form is submitted at request. The company has to fill in the application form and eventually give additional information, if required.

11. The importer has to present the import licence to the Customs.

12. No.

13. No.

Conditions of licensing

14. Normally the validity of a licence is five years. In certain cases, the period can be shorter. The period of validity may be extended after an application for extension.

15. No.

16. No.

17. No.

Other Procedural Requirements

18. No

19. N/A

4. FIREARMS, FIREARM COMPONENTS AND AMMUNITION

Outline of system

1. Act No. 1 relating to firearms and ammunition etc. of 9 June 1961 and Regulation No. 904 on Firearms, Firearm Components and Ammunition 25 June 2009 require a permit granted by the Chief of Police for commercial and non-commercial imports of firearms, firearm components and ammunition (not covered by Act No. 39 relating to Explosive Goods of 14 June 1974 (applies only to Svalbard) or the Fire and Explosion Prevention Act).

Commercial imports of ammunition from a member state covered by the EEA Agreement may only occur pursuant to Directive 93/15/EEC of 5 April 1993 on the harmonization of the provisions relating to the placing on the market and supervision of explosives for civil uses.

Purpose and coverage of licensing

2. Civil permits for commercial and non-commercial imports of firearms, firearm components (barrels, receivers, frames) and ammunition.

3. The system regarding import licensing of firearms, firearm components and ammunition regulates imports from all countries.

4. The purpose of the permit is to ensure that only suitable persons import firearms, firearm components and ammunition.

5. Act No. 1 relating to firearms and ammunition etc. of 9 June 1961 and Regulation No. 904 on Firearms, Firearm Components and Ammunition of 25 June 2009. The permit is statutorily required. It is not possible for the government or the executive branch to abolish the system without legislative approval.

Procedure

6. Not applicable.

7.(a) A person needs a permit granted by the Police for commercial and non-commercial imports of firearms, firearm components and ammunition before importation.

(b) No.

(c) No.

(d) Yes, the Chief of Police.

8. Police supervision of applications for commercial import permits:

In addition to check that a person who seeks an import permit is licensed to trade in firearms, firearm components and ammunition, and that the application meets the requisite formalities, the police evaluates whether the type and number of weapons the application concerns are defensible from policing, security and social points of view.

The reasons for any refusal shall be given to the applicant.

The applicant has a right to appeal to the National Police Directorate. The procedures are pursuant to Norwegian administrative law.

Eligibility of importers to apply for licence

9. Everyone is eligible to apply for a permit. A permit for commercial import will normally only be given to licenced firearms dealers or manufacturers.

Documentational and other requirements for application for licence

10. The application for commercial imports of firearms, firearm components or ammunition and non-commercial imports of ammunition must contain information on:

- the applicant's (the firm's) full name and address;
- the number, nature or type, trademark, name of model, mechanism (type) and calibre, barrel length and firearms total length, for imports of firearms/firearm components;
- the quantity and weight, for imports of ammunition;
- the name and address of the supplier;
- whether the consignment is expected to arrive in several consignments; and
- who has granted the applicant a permit to conduct trade in firearms etc.

The importer must also supply a copy of the document showing the purchase price.

The application for non-commercial imports of firearms, firearm components or ammunition must contain information on:

- the applicant's full name and address, date of birth and birthplace, and job or profession;
- mechanism (type) and calibre of firearms/firearm components;
- the applicant's potential use of the weapon; and
- the applicant's firearms permit, if he has one.

11. A permission granted by the Chief of Police.

12. The fee for commercial imports of firearms, firearm components or ammunition is one per cent of the value, but minimum NOK 125 and maximum NOK 6,150 (the court fee multiplied by six). The fee for non-commercial imports of firearms, firearm components or ammunition is minimum NOK 512 and maximum NOK 1,025.

13. For commercial imports of firearms, firearm components and ammunition the importer has to pay the fee either when an application is made or within 14 days after a permission is granted. There is no specific requirement to pay in advance or to deposit money for acquiring a licence.

Conditions of licensing

14. The permit for commercial imports of firearms, firearm components or ammunition is valid for a period of three months. It may on application be extended for a further three months. The permit for non-commercial imports of firearms, firearm components or ammunition is valid for a period of six months. It may on application be extended for a further six months.

15. No.

16. Transfer of an import permit is prohibited.

17. No.

Other procedural requirements

18. No.

19. N/A.

5. EXPLOSIVE SUBSTANCES INCLUDING PYROTECHNICAL ARTICLES

Outline of system

1. Import of explosive substances, including pyrotechnical articles, requires an import license. The products are mainly listed in Norwegian customs tariff, Chapter 36 (HS 36.01-36.04) but not restricted to.

Explosives produced in conformity with international agreements are only subject to transfer approval.

Both import license and transfer approval are regulated by Act No. 20 on the Prevention of Fire, Explosion and Accidents involving Hazardous Substances of 14 June 2002 and the Fire Services' duties in Rescue Operations. In detail, pyrotechnical articles are regulated by the Regulation No. 922 on handling Explosive Substances of 26 June 2002 and Regulation No. 1199 on Pyrotechnical Articles of 3 October 2013.

Explosives substances are regulated in the Regulation No. 844 on Civil Handling of Explosives Substances of 15 June 2017.

Purposes and coverage of licensing

2. Explosives covered by Directive 2014/28/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market and supervision of explosives for civil uses of 26 February 2014, Explosives for civil uses | Internal Market, Industry, Entrepreneurship and SMEs (europa.eu) transferred from a country within the EEA is regulated by the Regulation on Civil handling Explosive Substances Chapter 4, and according to Article 29 requires a transfer approval.

Imports of explosives, ammunition for technical use from a country outside of the EEA is subject to import authorization, cf. Regulation on Civil handling Explosive Substances Article 31.

Explosives covered by the Regulation on Civil handling Explosive Substances are the materials and articles considered to be explosives in the United Nations recommendations on the transport of dangerous goods and falling within Class 1 of those recommendations.

Pyrotechnical articles covered by Directive 2007/23/EU of the European Parliament and of the Council on the placing on the market of pyrotechnic articles of 23 May 2007, Pyrotechnic articles |

Internal Market, Industry, Entrepreneurship and SMEs (europa.eu) transferred from a country within the EEA is regulated by the Regulation No. 922 on handling Explosive Substances of 26 June 2002, Chapter 5, and according to Article 5-1 requires a transfer approval.

Import of pyrotechnical articles from a country outside of the EEA is subject to import authorization; cf. Regulation on handling Explosive Substances, Chapter 5, Article 5-1.

Pyrotechnic articles are categorised as follows:

Fireworks:

Category 1: fireworks which present a very low hazard and negligible noise level, and which are intended for use in confined areas, including fireworks which are intended for use inside domestic buildings;

Category 2: fireworks which present a low hazard and low noise level, and which are intended for outdoor use in confined areas;

Category 3: fireworks which present a medium hazard, which are intended for outdoor use in large open areas and whose noise level is not harmful to human health;

Category 4: fireworks which present a high hazard which are intended for use only by persons with specialist knowledge (commonly known as fireworks for professional use) and whose noise level is not harmful to human health.

Theatrical pyrotechnic articles:

Category T1: pyrotechnic articles for stage use which present a low hazard;

Category T2: pyrotechnic articles for stage use which are intended for use only by persons with specialist knowledge.

Other pyrotechnic articles:

Category P1: pyrotechnic articles other than fireworks and theatrical pyrotechnic articles, which present a low hazard;

Category P2: pyrotechnic articles other than fireworks and theatrical pyrotechnic articles which are intended for handling or use only by persons with specialist knowledge.

3. The import licensing system applies to explosives coming from countries outside the EEA, and pyrotechnic articles from all countries. The system with transfer approval applies to explosives, but not to pyrotechnical articles, coming from countries within the EEA.

4. The purpose of the import licensing procedure is to ensure public safety and security, and not to restrict the quantity or value of imports.

5. See point no. 1 on under which law and regulation the licensing is maintained.

The above-mentioned licensing is statutorily required, and it is not possible for the government to abolish the system without legislative approval.

Designation of products to be subject to licensing is not left to administrative discretion but follows directly from the law. For certain reasons, exemption may be given for provisions in the Regulation on handling Explosive Substances, provided there is no conflict with international agreements entered into by Norway, cf. Article 17-3.

Procedures

6. Not applicable (No quantity or value restrictions).

7.(a) Application for a license must be made in time for the license to be granted before actual importation. The treatment of applications for import licenses are normally done within one to two weeks. As an exception, a license may be obtained within a shorter frequency, provided that all the general conditions, i.e. documentation, are complied with, and the necessary administrative resources are available.

(b) No.

(c) No.

(d) Applications for an import license are considered only by a single administrative organ, the Directorate for Civil Protection and Emergency Planning. Appeals, on the other hand, are passed on to a higher administrative organ.

8. There are no circumstances for an application to be refused other than failure to meet the general provisions. The reasons for a refusal are communicated to the applicant. Applicants have a right of appeal in the event of refusal to issue a license. Appeals are passed on to a higher administrative organ, the Ministry of Justice and Public Security. Appeals are sent to the first instance for a preliminary assessment and are then passed on to the higher instance for final judgement.

Eligibility of importers to apply for license

9. Only firms registered as an Explosives company may be granted an import license. Companies are registered in the National register of business enterprises; "Brønnøysund registeret". There is a registration fee. There is not a published list of authorized importers. The Regulation on handling Explosive Substances Article 5-3 requires importer course for companies that import fireworks in class II, III, and IV, and theatrical pyrotechnics.

Documentation and other requirements for application for license

10. Sample form was made available, as part of Norway's 2008 notification. The importer is also required to attach to the application the following information:

- Documentation on storage;
- Documentation on area for destruction;
- Documentation test area for initial inspection (applies only to pyrotechnical articles).

11. The import license/transfer approval.

12. There is no licensing fee or administrative charge for imports, only value added tax.

13. No.

Conditions of licensing

14. Import authorization is valid for maximum three years, but only until the granted amount of explosives actually is imported. The validity of a license is not extended.

15. No.

16. No.

17. No.

Other procedural requirements

18. No.

19. N/A.

6. ENDANGERED SPECIES

Outline of system

1. By virtue of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), of which Norway is a member, import of such species that are covered by the Convention are subject to licensing. CITES aims to ensure that no species are threatened with extinction as a result of non-sustainable international trade. Species covered by the Convention are listed in Appendices I, II or III, according to how threatened each species are by international trade. Relevant for the purpose of this questionnaire are import of species listed under Appendix I and II of the Convention, as import of such species into Norway require an import licence issued by the Norwegian Environment Agency, in addition to an export permit issued by the CITES authority in the state of exportation.

The CITES convention is implemented in the Norwegian legal system through Regulation on the import, export, re-export and transfer or possession of threatened species of wild flora and fauna (Convention on International Trade in Endangered Species, CITES) of 15 June 2018 No. 889, with statutory authority by

Law No. 79 of 15 June 2001 § 26 (2) (Svalbard Environmental Act, see http://lovdata.no/cgiwift/wiftldles?doc=/app/gratis/www/docroot/all/nl-20010615-079.html&emne=svalbardmilj%F8*&&)

Law No. 2 of 27 February 1930 § 2 (Act relating to Jan Mayen, see http://lovdata.no/cgiwift/wiftldles?doc=/app/gratis/www/docroot/all/nl-19300227-002.html&emne=jan*%20%2b%20mayen*&&;

Law No. 100 of 19 June 2009 § 2 and § 26 (Nature Diversity Act, see https://lovdata.no/dokument/NL/lov/2009-06-19-100/KAPITTEL_3#%C2%A726);

Delegation of authority of Regulation No. 889 of 15 June 2018 § 31 regarding adjustments of Appendices I, II and III to the Norwegian Environmental Agency.

Purposes and coverage of licensing

2. The Convention establishes a system for cooperation between all State parties to the Convention with regards to all import, export, re-export and introduction from the sea of species covered by the Convention to be authorized through a licensing system. Products included in the licensing system are the species (and their by-products) listed in one of the three Appendices. The purpose of this coverage is:

(a) To place a strict limitation on trade in wild specimens and by-products of species classified as endangered, cf. Appendix I;

(b) To establish a system of monitoring of specimens and by-products susceptible to becoming endangered through a licensing mechanism, cf. Appendices I and II;

(c) To allow individual countries to exercise surveillance on importation in other countries specimens and by-products of species which are considered endangered by the exporting country only, cf. Appendix III.

3. The system applies to endangered species originating in and exported from all countries.

4. See point 1 above. The licensing system allows importation in endangered species and their by-products in internationally agreed circumstances.

5. See point 1 above law and administrative order under which the licensing is maintained. Endangered species are placed in Appendices I, II and III. It is not possible either to make the regime more flexible or to modify the legal basis.

Procedures

6. Not applicable (i.e. no quantitative restrictions).

7.(a) An individual import permit is normally granted after a review period of 1-4 weeks provided the criteria for issuing a permit are met. Therefore, it is recommended that an application is submitted giving the CITES authorities reasonable time before the expected date of importation to review the application. Import licences are usually not granted retrospectively.

(b) See point 7(a) above.

(c) N/A.

(d) Permit applications are processed by the Norwegian Environment Agency, which is the single administrative organ that the applicant needs to contact.

8. An applicant for a licence may only be refused when the application fails to meet the ordinary criteria set out in the Convention. If the criteria have not been met, the applicant will be informed of the reasons for refusal. In such event, an appeal may be forwarded to the Ministry of Climate and Environment.

Eligibility of importers to apply for licence

9. Citizenship and residency are not criteria.

Documentational and other requirements for application for licence

10. The applicant is required to provide information about the specific specimen of the species requested for import such as the origin of the specimen and the purpose for the request of import. The application form is to be found at https://soknadssenter.miljodirektoratet.no/CitesSkjema/Startside/Index?s%C3%B8knadstypeId=35

Documentation issued by the appropriate CITES authorities in the country of origin or in any subsequent re-exporting country authorizing export must accompany all applications. A product arriving in Norway without a duly authentic CITES export permit will not be cleared by Norway Customs and is subject to seizure.

11. Documents required upon actual importation are both authentic CITES documents issued by the appropriate CITES authorities in the country of origin or in any subsequent re-exporting country authorizing export, and authentic CITES documentation issued by the Norwegian Environment Agency

12. No fees.

13. N/A.

Conditions of licensing

14. The validity of the CITES import permits is not subject to regulation.

15. No.

16. No.

17. No.

Other procedural requirements

18. No.

19. N/A.

7. POWERFUL LASER POINTERS

Outline of system

1. Norway has a non-automatic licence in place for powerful laser pointers. The Norwegian Radiation and Nuclear Safety Authority is the competent authority for granting licences. A licence is necessary to own, possess, manufacture, import, export, use or sell powerful laser pointers in Norway. Permits will be granted to those who have a legitimate need to use a powerful laser pointer.

Purposes and coverage of licensing

2. A licence is required for all importers of powerful laser pointers class 3R, 3B and 4. The permit may be granted for a given period of time.

3. The system has a global application.

4. Imports are not regulated on a quantitative basis. The objective of the licencing system is to prevent harmful and potentially dangerous use of laser pointers. The overall purpose is to ensure the proper use of radiation, prevent harmful effects of radiation on human health and contribute to the protection of the environment.

5. The licencing system is mandated in the Norwegian Act on radiation protection Section 6, and further elaborated in the Norwegian Regulations on radiation protection Section 10.

Act on Radiation Protection and Use of Radiation (No. 36 of 12 May 2000):
In Norwegian: https://lovdata.no/dokument/NL/lov/2000-05-12-36?q=str%C3%A5levern
In English: https://dsa.no/en/legislation

Regulations on Radiation Protection and Use of Radiation (No. 1659 of 16 December 2016):
In Norwegian: https://lovdata.no/dokument/SF/forskrift/2016-12-16-1659?q=str%C3%A5levern
In English: https://dsa.no/en/legislation

The licencing system is thus statutorily required, and the designation of products to be subjected to licensing is not left to administrative discretion. It is possible for the government to abolish the system without legislative approval.

Procedures

6. There are no restrictions as to the quantity or value of imports.

7. Under the system there is no quantitative limit on importation of a product or from a particular country.

(a) The processing time for an application is 30 days.

(b) Import applications must be written. The application will be handled without unnecessary delay.

(c) Applications for licences are not limited to any particular time of year.

(d) The Norwegian Radiation and Nuclear Safety Authority issues the licence.

8. If the applications meet the criteria, a licence is granted. An application may only be refused if it fails to meet the ordinary criteria. The reasons for any refusal are given to the applicant in the decision. The decision of the Norwegian Radiation and Nuclear Safety Authority may be appealed to the Ministry of Health and Care Services.

Eligibility of importers to apply for a licence

9. All persons, firms and institutions are eligible to apply for an import licence.

Documentational and other requirements for application for licence

10. The following information is required in the application: Name and address of applicant, item number according to the Norwegian customs tariff, description of goods, end-use statement, country of origin, and other relevant information (such as date, signature, telephone number, reference).

Authorization is granted only when

(a) the applicant can document that the laser pointer is designed, classified and marked in compliance with requirements stated in Section 35;

(b) the applicant can document that the planned use of the laser pointer is justified according to Section 5; and

(c) no reason to anticipate misuse of the laser pointer.

Authorizations can be granted to undertakings and individual persons. An authorization can involve several laser pointers and be time limited.

In the authorization, the Norwegian Radiation and Nuclear Safety Authority may set further conditions to assure justified use of radiation and prevent against harmful effects of radiation on human health. This may include further conditions for the radiation use, registration, reporting, competence, training, security, use of measuring equipment, maintenance routines, quality control of apparatus and equipment for radiation use, return schemes, financial guarantees, import, export, emergency preparedness and design of premises.

The Norwegian Radiation and Nuclear Safety Authority may cancel, change or set new conditions in an authorization, and if necessary, withdraw an authorization if:

(a) conditions set, or orders made pursuant to the Radiation Protection Act are materially or repeatedly ignored; or

(b) it follows from an authorization issued under Sections 9 or 10 or the Public Administration Act Section 35.

11. At the actual time of importation, the Authority's decision to grant a licence should be presented to customs.

12. There are no charged levies or other licensing fees.

13. No deposit or advance payment is required for licensing.

Conditions of licensing

14. The licence may be time limited if the Authority so decides.

15. There is no penalty on licences which have not been used or on licences which have only been used partially.

16. Licences cannot be transferred between importers.

17. There are no other conditions attached to the issuing of licences except the above-mentioned under question 10.

Other procedural requirements

18. There are no other administrative procedures required prior to importation.

19. N/A

8. RADIOACTIVE SOURCES

Outline of system

1. The Norwegian Radiation and Nuclear Safety Authority is the competent authority for radioactive sources. The Norwegian Regulations on Radiation Protection and Use of Radiation give exemption levels for different radioactive isotopes. To import radioactive sources (including radiopharmaceuticals) with activities above these exemption levels you need an authorization; either by licensing or registration. Authorization by registration is a simplified authorization which involves registering the source in an electronic national source registry before import. Authorization by licensing involves an application process with review and assessment of relevant information. The license has an expiry date.

Purposes and coverage of licensing

2. A license is required either based on the area of use of the radioactive source or based on how strong the source is. Examples of areas of use which require license are industrial radiography, logging operations, comprehensive research, administration of radiopharmaceuticals in humans and radiotherapy on humans. A license is required for all importers of strong radioactive sources, i.e. with activities greater than $2x10^6$ of the exemption levels, and all radiopharmaceuticals above exemption level.

3. The system has a global application.

4. The objective of the licensing system is to prevent harmful and potentially dangerous use of radioactive sources and to ensure the safe handling of disused radioactive sources. The overall purpose is to ensure the proper use of radiation, prevent harmful effects of radiation on human health and contribute to the protection of the environment.

5. The authorization system is mandated in the Norwegian Act on Radiation Protection Section 6, and further elaborated in the Norwegian Regulations on Radiation Protection Sections 9 (license) and 13 (registration).

Act on Radiation Protection and Use of Radiation (No. 36 of 12 May 2000):
In Norwegian: https://lovdata.no/dokument/NL/lov/2000-05-12-36?q=str%C3%A5levern; and
In English: https://dsa.no/en/legislation.

Regulations on Radiation Protection and Use of Radiation (No. 1659 of 16 December 2016):
In Norwegian: https://lovdata.no/dokument/SF/forskrift/2016-12-16-1659?q=str%C3%A5levern;
In English: https://dsa.no/en/legislation.

The authorization system is thus statutorily required, and the designation of products to be subjected to authorization is not left to administrative discretion. It is possible for the government to abolish the system without legislative approval.

Procedures

6. There are no national restrictions as to the quantity or value of imports. However, the Norwegian Radiation and Nuclear Safety authority may specify restrictions on the activity or type of the sources to be imported to each licensee.

7. Under the system there is no quantitative limit on importation of a product or from a particular country.

(a) The processing time for an application is three weeks. For urgent matters, a license can be obtained within a shorter time-limit.

(b) Import applications must be written. The application will be handled without unnecessary delay.

(c) Applications for licenses are not limited to any particular time of year.

(d) The Norwegian Radiation and Nuclear Safety Authority issues the license.

8. A license can be refused if the applicant fails to demonstrate that the source will be used in a justified, optimized and safe manner. Reasons for any refusal are given to the applicant in the decision. The decision of the Norwegian Radiation and Nuclear Safety Authority may be appealed to the Ministry of Health and Care Services.

Eligibility of importers to apply for a licence

9. All persons, firms and institutions are eligible to apply for an import licence.

Documentational and other requirements for application for licence

10. The applicant must document that the planned use of radiation is justified and optimized. What information that is required is dependent on the area of use of the source. We do not have English translations of the application forms. In any case the company name, organization number and address must be submitted, and the applicant must provide information on their competence, instructions, procedures, safety and security assessments, safety equipment, source registry, emergency preparedness plan and system for management of disused sources.

In the license, the Norwegian Radiation and Nuclear Safety Authority may set further conditions to assure justified use of radiation and prevent against harmful effects of radiation on human health. This may include further conditions for the radiation use, registration, reporting, competence, training, security, use of measuring equipment, maintenance routines, quality control of apparatus and equipment for radiation use, return schemes, financial guarantees, import, export, emergency preparedness and design of premises.

The Norwegian Radiation and Nuclear Safety Authority may cancel, change or set new conditions in an authorization, and if necessary, withdraw an authorization if:

(a) the disadvantage of the radiation use proves to be significantly greater or different from what was expected when the authorization was granted;

(b) the disadvantage of the radiation use can be reduced without unreasonable costs for the undertaking;

(c) the radiation use can be significantly reduced or substituted; cf. Section 23;

(d) conditions set, or orders made pursuant to the Radiation Protection Act are materially or repeatedly ignored; or

(e) it follows from an authorization issued under Sections 9 or 10 or the Public Administration Act Section 35.

11. At the actual time of importation, the documentation of the registration and/or license should be presented to customs.

12. There are no charged levies or other licensing fees.

13. No deposit or advance payment is required for licensing.

Conditions of licensing

14. The license is usually valid for a period of one to ten years, depending on the activity of the source and the area of use. The license can be extended/renewed by application.

15. There is no penalty on licenses which have not been used or on licenses which have only been used partially.

16. Licenses cannot be transferred between importers.

17. There are no other conditions attached to the issuing of licences except the above-mentioned under question 10.

Other procedural requirements

18. An authorization is required, not only for importing radioactive sources, but also for using the sources. For the import and sale of radiopharmaceuticals, wholesale traders need a permission from the Norwegian Medicines Agency.

19. N/A

9. SOLARIUMS FOR COSMETIC PURPOSES

Outline of system

1. Norway has a non-automatic licence in place for solariums for cosmetic purposes. The Norwegian Radiation and Nuclear Safety Authority is the competent authority for granting licences. A licence is necessary to import or produce solariums for cosmetic purposes in Norway.

Purposes and coverage of licensing

2. A licence is required for all importers of solariums for cosmetic purposes. The permit may be granted for a given period of time.

3. The system has a global application.

4. Imports are not regulated on a quantitative basis. The objective of the licencing system is to make sure that the solariums imported to Norway are produced, measured, classified and marked in compliance with the harmonized European Standard EN 60335-2-27 and fulfils the requirements to UV-type 3 solariums according to the standard. The overall purpose is to ensure the proper use of radiation, prevent harmful effects of radiation on human health and contribute to the protection of the environment.

5. The licencing system is mandated in the Norwegian Act on radiation protection Section 6, and further elaborated in the Norwegian Regulations on radiation protection Section 9.

Act on Radiation Protection and Use of Radiation (No. 36 of 12 May 2000):
In Norwegian: https://lovdata.no/dokument/NL/lov/2000-05-12-36?q=str%C3%A5levern
In English: https://dsa.no/en/legislation

Regulations on Radiation Protection and Use of Radiation (No. 1659 of 16 December 2016):
In Norwegian: https://lovdata.no/dokument/SF/forskrift/2016-12-16-1659?q=str%C3%A5levern
In English: https://dsa.no/en/legislation

The licencing system is thus statutorily required, and the designation of products to be subjected to licensing is not left to administrative discretion. It is possible for the government to abolish the system without legislative approval.

Procedures

6. There are no restrictions as to the quantity or value of imports.

7. Under the system there is no quantitative limit on importation of a product or from a particular country.

(a) The processing time for an application is 30 days.

(b) Import applications must be written. The application will be handled without unnecessary delay.

(c) Applications for licences are not limited to any particular time of year.

(d) The Norwegian Radiation and Nuclear Safety Authority issues the licence.

8. If the applications meet the criteria, a licence is granted. An application may only be refused if it fails to meet the ordinary criteria. The reasons for any refusal are given to the applicant in the decision. The decision of the Norwegian Radiation and Nuclear Safety Authority may be appealed to the Ministry of Health and Care Services.

Eligibility of importers to apply for a licence

9. All persons, firms and institutions are eligible to apply for an import licence.

Documentational and other requirements for application for licence

10. The following information is required in the application: Name and address of applicant, item number according to the Norwegian customs tariff, description of goods, end-use statement, country of origin, and other relevant information (such as date, signature, telephone number, reference).

Authorization is granted only when the applicant can document that the solariums are produced, measured, classified and marked in compliance with requirements stated in Section 36.

In the authorization, the Norwegian Radiation and Nuclear Safety Authority may set further conditions to assure justified use of radiation and prevent against harmful effects of radiation on human health. This may include further conditions for the radiation use, registration, reporting, competence, training, security, use of measuring equipment, maintenance routines, quality control of apparatus and equipment for radiation use, return schemes, financial guarantees, import, export, emergency preparedness and design of premises.

The Norwegian Radiation and Nuclear Safety Authority may cancel, change or set new conditions in an authorization, and if necessary, withdraw an authorization if:

(a) conditions set, or orders made pursuant to the Radiation Protection Act are materially or repeatedly ignored; or

(b) it follows from an authorization issued under Sections 9 or 10 or the Public Administration Act Section 35.

11. At the actual time of importation, the Authority's decision to grant a licence should be presented to customs.

12. There are no charged levies or other licensing fees.

13. No deposit or advance payment is required for licensing.

Conditions of licensing

14. The licence may be time limited if the Authority so decides.

15. There is no penalty on licences which have not been used or on licences which have only been used partially.

16. Licences cannot be transferred between importers.

17. There are no other conditions attached to the issuing of licences except the above-mentioned under question 10.

Other procedural requirements

18. There are no other administrative procedures required prior to importation.

19. N/A

10. TOBACCO PRODUCTS AND EQUIPMENT FOR TOBACCO PRODUCTION

Outline of system

1. Norway has from 1 November 2020 a licencing system in place for import, export and manufacturing of tobacco products and equipment for tobacco production.

Import, export and production of tobacco products and equipment for tobacco production is prohibited without a permit. Individuals may import tobacco products for personal use without a permit.

Purposes and coverage of licensing

2. The licencing system covers all types of tobacco products and equipment for tobacco production.

3. The system applies to all countries.

4. The purpose is to limit the health damage of tobacco use by ensuring that the sale of tobacco products takes place in accordance with the provisions of the Tobacco Control Act. The purpose is also to ensure an overview of the supply chain of tobacco products in order to avoid illicit trade.

The Protocol to Eliminate Illicit Trade in Tobacco Products Article 6 obliges the parties to either prohibit the production, export and import of tobacco products and equipment for tobacco production, or to establish a licensing scheme for such activities. Norway has chosen to follow up this obligation by establishing a licensing scheme.

5. The statutory authority for the licencing system is found in the Norwegian Tobacco Control Act No. 14 of 9 March 1973, Section 8.

In Norwegian: https://lovdata.no/lov/1973-03-09-14

The licencing system is further elaborated in Regulations No. 1446 on registration and licencing systems for tobacco products etc of 21 September 2017.

In Norwegian: https://lovdata.no/dokument/SF/forskrift/2017-09-21-1446?q=tobakk

The licensing system is statutorily required. The legislation does not leave designation of products to be subjected to licensing to administrative discretion. It is not possible for the government (or the executive branch) to abolish the system without legislative approval.

Procedures

6. There are no restrictions as to the quantity or value of imports.

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

(a) The processing time for an application is 30 days. Licenses cannot be obtained within a shorter time-limit or for goods arriving at the port without a license.

(b) A license cannot be granted immediately on request.

(c) There are no limitations as to the period of the year during which application for license and/or importation may be made.

(d) The consideration of license applications are effected by the Norwegian Directorate of Health. The application must not be passed on to other organs for visa, note or approval. The importer does not have to approach more than one administrative organ.

8. If the applications meet the criteria, a licence is granted. An application may only be refused if it fails to meet the ordinary criteria. The reasons for any refusal are given to the applicant in the decision. The decision of the Norwegian Directorate of Health may be appealed to the Ministry of

Health and Care Services according to Section 28 of the Public Administration Act: https://lovdata.no/NLE/lov/1967-02-10/§28

Eligibility of importers to apply for a licence

9. All persons, firms and institutions are eligible to apply for an import licence.

Documentational and other requirements for application for licence

10. The following information is required in the application:

(a) The company's name, organization number, address and contact information as well as information about any subcontractors;

(b) Information on the type of permit applied for;

(c) Overview of accounts used in transaction purposes;

(d) Information on persons with significant influence over the business;

(e) Documentation of who owns the business applying for a license;

(f) Overview of tobacco products and tobacco equipment covered by the permit application, including product groups, product description, name, any registered trademark, design, make, model or make and serial number of the production equipment;

(g) Description of how the tobacco products are intended to be used and in which market it is intended to be traded in, and an account of the supply is in proportion to the demand that can reasonably be expected;

(h) Plan for internal control system, including routines for proper flow of goods and storage, and possibly documentation of insurance and physical security of inventory and production premises;

(i) Access documents and floor plans of the company's premises;

(j) Extended and exhaustive police certificate.

The Norwegian Directorate of Health may also require the applicant to submit:

(a) Company certificate, possibly foundation documentation;

(b) Bank statements from accounts used for transaction purposes;

(c) Financing plan and operating and liquidity budget.

The application form can be found here: Altinn - Søknad om bevilling for innførsel, utførsel og produksjon av tobakksvarer.

11. No documents are required upon actual importation as all licenses are registered in a public register.

12. There is an administrative charge (application fee) of NOK 15,000 that must be paid by the applicant.

13. The application fee covers administration costs related to the request for importation. The application fee is non-refundable and must be paid when the application is submitted.

Conditions of licensing

14. There is no limit on the period of validity of a licence.

15. There is no penalty on licences which have not been used or on licences which have only been used partially.

16. Licences cannot be transferred between importers.

17. There are no other conditions attached to the issuing of licences.

Other procedural requirements

18. There are no other administrative procedures required prior to importation.

19. Foreign exchange is automatically provided.