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Committee on Import Licensing

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AGREEMENT ON IMPORT LICENSING PROCEDURES**NOTIFICATION UNDER ARTICLE 7.3¹ OF THE
AGREEMENT ON IMPORT LICENSING PROCEDURES (2022)****THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU**

The following notification, dated 4 October 2022, is being circulated at the request of the delegation of The Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.

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1 OPTICAL DISK MANUFACTURING EQUIPMENT**Overview of the System**

1. This licensing system is a control measure undertaken in accordance with the Optical Disk Act and to safeguard intellectual property rights. Any applicants wishing to import "Optical Disk Manufacturing Equipment" shall apply for a "Certificate for Importation of Optical Disk Manufacturing Implements" to be issued in advance by the Bureau of Foreign Trade (BOFT). The Customs

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

Administration may facilitate the customs clearance by checking only this certificate issued by the BOFT.

Purpose and Scope of Licensing

2. The products under this system are subject to non-automatic licensing, and they are: C.C.C. 8477.10.00.10-4, 8479.89.99.40-4, and 8480.71.00.10-5

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

4. The purpose for the issuance of an Import Clearance Certificate for optical disk manufacturing equipment is to prevent infringements of intellectual property rights. There is no other import procedure for these commodities that can be substituted to in order to avoid the delay encountered from this customs clearance procedure.

5. This system could be abolished without legislative approval.

Procedures

6. Not applicable.

7.(a) No time requirement before importation is prescribed for acquisition of an import approval.

(b) If the application is in order, the certificate will be issued within one day.

(c) There are no time restrictions for making applications.

(d) The applicant shall apply with the BOFT.

8. The applicant will be notified electronically about any rejection. In the event of a rejection, the applicant has the legal right to appeal in accordance with the procedures stipulated by law.

Eligibility of Importers to Apply for a Licence

9. Any company or business firm that engages in export/import business is eligible to register. No registration fee is required.

Documents and Other Requirements to Apply for a Licence

10. An importer is required to submit the "Application for Importation of Optical Disk Manufacturing Implements".

11. During importation, only the "Certificate for Importation of Optical Disk Manufacturing Implements" and documents for customs clearance are required.

12. There are no licensing fees or administrative charges.

13. There is no requirement for deposit or advance payment.

Conditions of the License

14. There is no time limit on the "Certificate for Importation of Optical Disk Manufacturing Implements."

15. There is no penalty for non-utilization of the certificate.

16. Licences are not transferable between importers.

17. There are no other conditions regarding the issuance of a licence besides those specified in the relevant import regulations.

Other Procedural Requirements

18. None. However, if the imported goods are subject to quarantine or inspection, there are quarantine or inspection procedures in addition to import licensing.

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

2 METHYL BROMIDE, HYDROCHLOROFLUOROCARBONS (HCFCs), HALONS, CARBON TETRACHLORIDE, 1,1,1-TRICHLOROETHANE (METHYL CHLOROFORM), CHLOROFLUOROCARBONS (CFCS), AND GOODS COMPOSED OF CHEMICALS CONTROLLED UNDER THE MONTREAL PROTOCOL

Outline of system

1. This licensing system is the control measure taken as necessary to be in compliance with the Montreal Protocol. Any applicants wishing to import these controlled substances shall apply for import permit and quota in advance. The granting requirements and procedures are specified within the "Methyl Bromide Management Regulations", the "HCFCs Consumption Management Regulations" and the "Regulations for Management of Montreal Protocol Controlled Substances" set and administered by the EPA. With such permit and quota, the applicant then can acquire the Import License from the EPA, which will be used for clearance of the shipments at the custom.

Purposes and coverage of licensing

2. The products under this system are subject to non-automatic licensing, and they are:

- (a) Methyl Bromide: C.C.C. 2903.39.90.21-5, 3808.99.92.10-7, 3824.77.00.10-4.
- (b) HCFCs: C.C.C. 2903.71.00.00-8, 2903.73.00.00-6, 2903.74.00.00-5, 2903.72.00.00-7, 2903.79.00.10-8, 2903.75.00.00-4.
- (c) Halons: 2903.76.00.00-3, 3813.00.00.10-9.
- (d) Carbon Tetrachloride: 2903.14.00.00-8.
- (e) 1,1,1-Trichloroethane (Methyl Chloroform): 2903.19.10.10-9.
- (f) Chlorofluorocarbons (CFCS): 2903.77.00.10-0, 2903.77.00.20-8, 2903.77.00.30-6, 2903.77.00.40-4, 2903.77.00.51-0, 2903.77.00.61-8, 2903.77.00.62-7, 2903.77.00.71-6, 2903.77.00.72-5, 2903.77.00.73-4, 2903.77.00.74-3, 2903.77.00.75-2, 2903.77.00.76-1, 2903.77.00.77-0.
- (g) The following goods, which are composed of chemicals controlled under the Montreal Protocol, are also covered by this system: C.C.C. 2903.79.00.90-1, 3824.71.00.00-2, 3824.79.00.00-4, and 3824.99.99.31-5.

3. Imports shall be made only from signatories to the Montreal Protocol or from countries or areas that have been approved and promulgated by the Environmental Protection Administration.

4. This system is made in compliance with the provisions of the Montreal Protocol.

5. This system could be abolished without legislative approval.

Procedures

6.I. Information concerning granting and allocating of import permit or quota is clearly stipulated by the EPA and has been issued official document from EPA.

- II. (a) Methyl Bromide: Permission of importation will only be issued for quarantine or pre-shipment treatment uses. Import permit is reviewed and issued to firms based on past performance of firms. Import permit issued shall be valid for six months in different half year. Application for permit is filed on a six-monthly basis.
- (b) HCFCs: The quota is set annually. The domestic quota is calculated by multiplying the base year consumption provided in the Montreal Protocol by a deduction rate. Quota is allocated to firms based on total quota and past performance of firms with priorities given to users. An approval issued shall be valid for six months in different half year. Application for approval is filed on a six-monthly basis.
- (c) Halons, Carbon Tetrachloride, 1,1,1-Trichloroethane (Methyl Chloroform), Chlorofluorocarbons (CFCS), goods which are composed of chemicals controlled under

the Montreal Protocol: Permission of importation will only be issued for academic research, experiment analysis or other uses allowed by the Montreal Protocol. The importer can apply for review at any time before the product is imported. An approval issued shall be valid for six months in different half year. The review schedule is determined on a case-by-case basis.

- III. (a) Methyl Bromide: Each entity who have obtained permit from EPA may apply for import license.
- (b) HCFCs: Importers or users who have obtained quotas from EPA may apply for import license.
- (c) Halons, Carbon Tetrachloride, 1,1,1-Trichloroethane (Methyl Chloroform), Chlorofluorocarbons (CFCS), goods which are composed of chemicals controlled under the Montreal Protocol: Each entity who have obtained permit from EPA may apply for import license.
- IV. (a) Methyl Bromide: Import license shall be issued on a six-monthly basis and are to be used within that period.
- (b) HCFCs: Import license shall be issued on a six-monthly basis and are to be used within that period.
- (c) Halons, Carbon Tetrachloride, 1,1,1-Trichloroethane (Methyl Chloroform), Chlorofluorocarbons (CFCS), goods which are composed of chemicals controlled under the Montreal Protocol: Import license shall be issued on a six-monthly basis and are to be used within that period.
- V. Applications for approval are processed within one-week up to one month.
- VI. There is no waiting period between the granting of licences and the date of opening of the period of importation.
- VII. Import approval must be granted by the EPA before obtaining the import license from the EPA.
- VIII. The use and the quantity of the goods to be approved for import must conform to the scope provided in the Montreal Protocol; only then may a special case approval be issued. Quota allocations use past practical merit as a standard.
- IX. These approval issuance procedures adopt import control to limit import quantity. There are no bilateral agreements or export restraint arrangements; no import licence from the exporting country is required.
- X. The quantity is controlled by the importing country. No import licence from the exporting country is required.
- XI. No approvals or licences are issued on the condition that goods imported must be re-exported and not sold in the domestic market.

7. Not applicable.

8. Reasons for any refusal are given to the applicant in writing. In the event of refusal, by law, the applicant has a right to appeal by following the procedures provided by the law.

Eligibility of importers to apply for licence

9. Not every individual, company or organization has the qualifications to apply for a licence. An applicant must prove that the use and the volumes will conform to the scope provided for in the Montreal Protocol.

Documentational and other requirements for application for licence

10.(a) For Methyl Bromide, the documents required for an application are:

- (1) Documented proof of importer/exporter registration (requested if it is the first time they have applied),
 - (2) Documented proof of the quantity/volume imported and a photocopy of importer's import permit in the previous period.
 - (3) A photocopy of import declaration.
 - (4) An application to import methyl bromide for quarantine or pre-shipment treatment shall separately submit evidentiary documents with respect to such purposes.
- (b) For HCFCs, the documents required for an application are:
- (1) Documented proof of importer/exporter registration (requested if it is the first time they have applied),
 - (2) A table showing quantity statistics for the applicant's import of controlled substances imported.
 - (3) A photocopy of import declaration.
 - (4) An application to import HCFCs shall separately submit evidentiary documents with respect to such purposes.
- (c) For Halons, Carbon Tetrachloride, 1,1,1-Trichloroethane (Methyl Chloroform), Chlorofluorocarbons (CFCS), goods which are composed of chemicals controlled under the Montreal Protocol, the documents required for an application are:
- (1) Application forms.
 - (2) Government agency approval and registration certificate of entity.
 - (3) Description document of chemical substance name, composition and use.
 - (4) A document explaining the reasons why the listed chemical substances cannot be replaced.

11. Upon actual importation, an import permit issued by the EPA and documents required for customs clearance shall be submitted.

12. No licensing fee or other administrative fee is required.

13. No deposit or advance payment for the application shall be required.

Conditions of licensing

14.(a) Methyl Bromide: Import permit is valid for six months. Every six months application must be made again for import permit. Import permit can be extended for another six months for only one chance if the application for it was filed in two months before expiration. Import license is valid for six months and no extension is allowed.

(b) HCFCs: import license is valid for six months and no extension is allowed.

(c) Halons, Carbon Tetrachloride, 1,1,1-Trichloroethane (Methyl Chloroform), Chlorofluorocarbons (CFCS), and goods which are composed of chemicals controlled under the Montreal Protocol: import approval is valid for six months and no extension is allowed.

15. Unused import license shall be deducted.

16. Quota can only be transferred between importers with the same eligibility, but quota allocated to users is not transferable.

17. There are no additional conditions besides the quantitative limits of the quotas.

Other procedural requirements

18. There are no other administrative procedures apart from the aforesaid requirements.

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

3 BREEDING LIVESTOCK/POULTRY AND GENETIC RESOURCES, GENETICALLY MODIFIED BREEDING STOCK/POULTRY AND GENETIC RESOURCES

No change. Please refer to document G/LIC/N/3/TPKM/7 of 22 August 2016.

4 YELLOW-FIN TUNA, BLUEFIN TUNA, SOUTHERN BLUEFIN TUNA, SWORDFISH, BIG-EYE TUNA, SHARK FIN, TOOTHFISH, FRY OF ERIOCHEIR SINENSIS

Outline of system

1. Import licensing for the products specified below is regulated by the "Notice of Application for Written Approval License to Import Yellow-fin Tuna", "Notice of Application for Written Approval Licence to Import, Export and Re-export Bluefin Tuna", "Notice of Application for Written Approval Licence to Import, Export and Re-export Southern Bluefin Tuna", "Notice of Application for Written Approval Licence to Import, Export and Re-export Swordfish", "Notice of Application for Written Approval Licence to Import, Export and Re-export Big-eye Tuna", "Regulations for the Importation of Shark Fins", "Regulations for the Importation of Toothfish", "Regulations on the Importation of Fry of Eriocheir sinensis" and is administered by the Council of Agriculture. Before being allowed to import, importers must obtain written approval from the Fisheries Agency, Council of Agriculture.

Purposes and coverage of licensing

2. The products under the System include yellow-fin tuna (C.C.C. 0302.32.00.00-7; 0303.42.00.00-4), Bluefin Tuna (C.C.C. Code. 0301.94.00.00-3; 0302.35.00.00-4; 0303.45.00.00-1; 0304.49.90.11-4; 0304.59.90.11-1; 0304.87.00.10-7; 0304.99.90.21-1), Southern Bluefin Tuna (C.C.C. 0301.95.00.00-2; 0302.36.00.00-3; 0303.46.00.00-0; 0304.49.90.12-3; 0304.59.90.12-0; 0304.87.00.20-5; 0304.99.90.22-0), Swordfish (C.C.C. 0302.47.00.00-0; 0303.57.00.00-6; 0304.45.00.00-0; 0304.54.00.00-8; 0304.84.00.00-2; 0304.91.10.00-1; 0304.91.90.00-4), Big-eye Tuna (C.C.C. 0303.44.00.00-2; 0304.87.00.30-3; 0304.99.90.23-9), Shark Fin (C.C.C. 0302.92.00.00-4; 0302.99.20.10-1; 0302.99.90.20-4; 0303.92.00.00-3; 0303.99.20.10-0; 0303.99.90.20-3; 0305.71.10.00-4; 0305.71.20.00-2; 0305.71.30.00-0; 0305.72.00.10-3; 0305.79.00.10-6; 1604.18.00.10-6; 1604.18.00.20-4; 1604.18.00.90-9; 1604.19.40.10-7; 1604.19.40.20-5; 1604.19.40.90-0), and Toothfish (C.C.C. 0302.83.00.00-5; 0303.83.00.00-4; 0304.46.00.00-9; 0304.55.00.00-7; 0304.85.00.00-1; 0304.92.10.00-0; 0304.92.90.00-3; 0305.59.90.50-2; 0305.69.90.50-0; 1604.19.90.61-4; 1604.19.90.62-3; 1604.19.90.69-6), Fry of Eriocheir sinensis, fry (C.C.C. 0306.33.10.10-8).

The licensing system is non-automatic.

3. The system applies to goods originating in and coming from all countries and customs territories, unless otherwise specified in the accession protocol of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu or the agreement on its terms of accession to the WTO.

4. The licensing system is intended to protect marine ecology.

5. The System may be abolished without legislative approval.

Procedures

6. Not applicable.

7. Applications for an import approval:

- (a) May be filed on any workday.
- (b) Cannot be approved immediately as examination for Tuna and Swordfish requires six workdays, and for Shark Fin, Toothfish and Fry of Eriocheir sinensis requires fourteen workdays.
- (c) Have no limitations as to the period of the year during which they may be submitted and approved.

(d) Are considered and effected by one administrative body only.

8. None. The reasons for any refusal are given to the applicant in writing. In the event of refusal, by law, the applicant has a right to appeal by following the procedures provided by the law.

Eligibility of importers to apply for licence

9. The applicant shall be an importer.

Documentational and other requirements for application for licence

10. An application shall be supported by an application form and accompanied by one photocopy of the applicant's company licence or business licence, and one photocopy of the foreign-issued quotation form. Also required are an original copy of the catch document for bluefin tuna, the statistical document for bigeye tuna, swordfish and southern bluefin tuna, the certificate of origin for yellowfin tuna issued by the government of the flag country of the fishing vessel that harvested the product in the shipment, the copy of fishing license and gross tonnage certificate issued by the flag State concerned to the fishing vessel that catches the shark fins (such documents shall be attested by the relevant authorities, organizations or persons as stipulated in the "Regulations for the Importation of Shark Fins", enacted by the Fishery Agency, Council of Agriculture.), the transaction document confirming the foreign exporter purchasing the shark fins from the fishing vessel of such catch, the photocopy of the valid Dissostichus Export Document or Dissostichus Re-Export Document issued by the exporting country pursuant to relevant measures of the Commission for the Conservation of Antarctic Marine Living Resources for toothfish, the dioxin and polychlorinated biphenyls inspection reports issued by ISO17025 or CNAS-certified laboratories in the exporting country, information on farms and stocking register (inspection), and affidavit from the culture fishermen for fry of *Eriocheir sinensis*.

11. Upon actual importation, the import declaration must be checked, and the import approval will be issued on the "Integrated Agriculture Permit and Customs Declaration Platform" of Council of Agriculture.

12. No fee is charged for applications.

13. No deposit or advance payment is required in association with the issuance of an approval.

Conditions of licensing

14. An approval is valid for three months. A new application shall be filed upon expiration.

15. There is no penalty for the non-utilization of an approval.

16. Approval documents are not transferable between importers.

17. If importation is prohibited because of changes in domestic or foreign laws and regulations or it is not feasible, the approval document shall be null and void. Quarantine and other matters concerning the importation shall be governed by other applicable regulations.

Other procedural requirements

18. There are no other administrative procedures, apart from obtaining an approval document prior to importation.

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

5 TOBACCO, ALCOHOL PRODUCTS AND UNDENATURED ETHYL ALCOHOL

No change. Please refer to document G/LIC/N/3/TPKM/7 of 22 August 2016.

6 OIL AND PETROLEUM PRODUCTS

No change. Please refer to document G/LIC/N/3/TPKM/7 of 22 August 2016.

7 FISHING BOATS

Outline of system

1. Import of fishing boats: Pursuant to the "Fisheries Act", "Regulations for Fishing Vessel Building Permit and Fishery License Issue", "Operating Rules for Screening Applications to Import Fishing Vessels using New Fishing Methods" and "Regulations for the Import of Ex-foreign flagged squid vessels of over 100 GRT built in and operated by the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu", importers shall apply for an approval from the Council of Agriculture (COA)".

Purposes and coverage of licensing

2. The licensing system is non-automatic. The products covered are as follows: Fishing boat: C.C.C. Code: 8902.00.10.10-9, 8902.00.10.90-2, 8902.00.20.00-9.

3. The system applies to goods originating in and coming from all countries and customs territories, unless otherwise specified in the accession protocol of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu or the agreement on the terms of accession to the WTO.

4. The system is to ensure maintaining continuing use of fishery resources. There are no other methods that can substitute for the current system.

5. Any abolition of the "Fisheries Law" would require the endorsement through proper legislative process. Abolition concerning "Regulations for Fishing Vessel Building Permit and Fishery License Issue", "Operating Rules for Screening Applications to Import Fishing Vessels using New Fishing Methods", "Regulations for the Import of Ex-foreign flagged squid vessels of over 100 GRT built in and operated by the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu" do not need to be endorsed by the legislative branch of the government.

Procedures

6. Not applicable.

7.(a) No time requirement before importation is prescribed for acquisition of an import approval.

(b) A licence cannot be granted immediately on request. For fishing boats, it takes about 10 to 20 days.

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

(d) Applicants have to approach only one administrative body.

8. None. The reasons for any refusal are given to the applicant in writing. In the event of refusal, by law, the applicant has a right to appeal by following the procedures provided by the law.

Eligibility of importers to apply for licence

9. The import of fishing boats is restricted to applicants from the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.

Documentational and other requirements for application for licence

10. There are standard application forms. Details and documentational requirements related to an application are set forth in the governing regulations (see response to Question 5), which are available for reference in the Secretariat.

11. Upon actual importation, an importer is required to submit the import approval issued by the competent authorities.

12. There is no licensing fee or administrative charge.

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

Conditions of licensing

14. An import approval for fishing boats is valid for six months and may be extended if necessary.

15. There is no penalty for the non-utilization of an approval or a portion of it.

16. Approvals are not transferable between importers.

17. There are no conditions attached to the issuance of an approval.

Other procedural requirements

18. There are no other administrative procedures apart from obtaining an approval document prior to importation.

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

8 VESSELS

Outline of system

1. Import of vessels: When importing vessels, except yachts and powered sailboats made in a country or region other than China, and others that are not regulated by "the Law of Ships", importers shall provide a document of approval issued by the Maritime and Port Bureau of the MOTC.

Purposes and coverage of licensing

2. The licensing system is non-automatic. The products covered are as follows: Vessel: C.C.C. Code: 8901.10.00.00-2, 8901.20.00.00-0, 8901.30.00.00-8, 8901.90.10.00-3, 8901.90.20.00-1, 8901.90.30.00-9, 8901.90.90.00-6, 8903.91.00.00-2, 8903.92.00.00-1, 8904.00.00.00-1, 8905.10.00.00-8, 8905.90.20.00-7, 8905.90.90.00-2 and 8906.90.90.00-1.

3. The system applies to goods originating in and coming from all countries and customs territories, unless otherwise specified in the accession protocol of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu or the agreement on the terms of accession to the WTO.

4. The system is to maintain safe navigable vessels within the territory of domestic waters and proper order within the water territory. There are no other methods that can substitute for the current system.

5. Any abolition of the "Shipping Act" and "The Law of Ships" would require the endorsement through proper legislative process.

Procedures

6. Not applicable.

7.(a) No time requirement before importation is prescribed for acquisition of an import approval.

(b) A licence cannot be granted immediately on request. For vessels, within about 10 – 15 days.

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

(d) Applicants have to approach only one administrative body.

8. None. The reasons for any refusal are given to the applicant in writing. In the event of refusal, by law, the applicant has a right to appeal by following the procedures provided by the law.

Eligibility of importers to apply for licence

9. For vessels, the application shall be filed by the owner of the vessels or by the owner's agent.

Documentational and other requirements for application for licence

10. There are standard application forms. Details and documentational requirements related to an application are set forth in the governing regulations (see response to Question 5), which are available for reference in the Secretariat.

11. Upon actual importation, an importer is required to submit the import approval issued by the competent authorities.

12. There is no licensing fee or administrative charge.

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

Conditions of licensing

14. An import approval for vessels is valid for six months and may be extended if necessary.

15. There is no penalty for the non-utilization of an approval or a portion of it.

16. Approvals are not transferable between importers.

17. There are no conditions attached to the issuance of an approval.

Other procedural requirements

18. There are no other administrative procedures apart from obtaining an approval document prior to importation.

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

9 CIVIL AIRCRAFT

Outline of system

1. Import of civil aircraft: Importers shall apply for an approval from the Civil Aeronautics Administration (CAA), MOTC through the authority-in-charge for inspection, according to the Civil Aviation Act, Regulations of Civil Air Transport Enterprise, Regulations Governing General Aviation, Regulations Governing Private Aircraft Activities and Ultra-light Vehicle Regulations.

Purposes and coverage of licensing

2. The licensing system is non-automatic. The products covered are as follows: Civil aircraft: C.C.C. Code: 8801.00.10.20-9, 8801.00.21.00-0, 8801.00.22.00-9, 8801.00.30.00-9, 8802.11.00.00-1, 8802.12.00.00-0, 8802.20.00.00-0, 8802.30.00.00-8, 8802.40.00.00-6, 8802.60.00.00-1, 8805.21.00.10-4, 8805.29.00.10-6.

3. The system applies to goods originating in and coming from all countries and customs territories, unless otherwise specified in the accession protocol of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu or the agreement on the terms of accession to the WTO.

4. The system is to maintain the order of air transport industry and the flight safety. There are no other methods that can substitute for the current system.

5. Any abolition of the "Civil Aviation Law" would require the endorsement through proper legislative process. Abolition concerning "Regulations of Civil Air Transport Enterprise", "Regulations Governing General Aviation", "Regulations Governing Private Aircraft Activities" and "Ultra-light Vehicle Regulations" do not need to be endorsed by the legislative branch of the government.

Procedures

6. Not applicable.

7.(a) No time requirement before importation is prescribed for acquisition of an import approval.

(b) A licence cannot be granted immediately on request. For civil aircraft, about 15 working days.

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

(d) Applicants have to approach only one administrative body.

8. None. The reasons for any refusal are given to the applicant in writing. In the event of refusal, by law, the applicant has a right to appeal by following the procedures provided by the law.

Eligibility of importers to apply for licence

9. The import of civil aircraft, all persons and legal entities of the territory are eligible.

Documentational and other requirements for application for licence

10. There are standard application forms. Details and documentational requirements related to an application are set forth in the governing regulations (see response to Question 5), which are available for reference in the Secretariat.

11. Upon actual importation, an importer is required to submit the import approval issued by the competent authorities.

12. There is no licensing fee or administrative charge.

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

Conditions of licensing

14. An import approval for civil aircrafts is valid for six months and may be extended if necessary.

15. There is no penalty for the non-utilization of an approval or a portion of it.

16. Approvals are not transferable between importers.

17. There are no conditions attached to the issuance of an approval.

Other procedural requirements

18. There are no other administrative procedures apart from obtaining an approval document prior to importation.

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

10 FIREARMS, AMMUNITION, CONTROLLED SWORDS, SIMULATION GUNS, POLICE WEAPONS

No change. Please refer to document G/LIC/N/3/TPKM/11 of 11 February 2021.

11 INDUSTRIAL USE EXPLOSIVES

No change except C.C.C. Codes 2905.59.90.10-1, 2905.59.90.20-9, 2921.42.00.10-0, 3602.00.90.00-7 are removed, and C.C.C. Codes 2904.20.00.15-2, 2908.99.00.31-4, 2920.90.20.11-7, 2920.90.20.21-5, 2920.90.20.22-4, 2927.00.90.11-4, 2929.90.00.70-0,

2933.69.90.31-0, 2933.99.90.21-6, 3602.00.90.11-4, 3602.00.90.12-3, 3602.00.90.90-8 are added to the product coverage. Please refer to document G/LIC/N/3/TPKM/7 of 22 August 2016.

12 TARIFF QUOTA

Outline of system

1. "Tariff Quota" are regulated by the "The Regulations of Tariff Quota. "Tariff Quota" referred to in the said Regulations means to assess a certain quantity for specified imported goods. The lower tariff rate applies on imported goods within the quota, and the normal tariff rate applies on imported goods in excess of the quota volume. The tariff quota is allocated by the Ministry of Finance or the delegated organizations or other entrusted authorities. Moreover, the Ministry of Finance delegates the Bank of Taiwan (BOT) to allocate the Tariff Quota of the agricultural products.

Purposes and coverage of licensing

2. Agricultural Products Subject to a Tariff Rate Quota Regime:

Description of products	Tariff item number(s) (HS2017)
Deer velvet	05079020
Liquid milk	04011010, 04012010, 04014010, 04015010, 04011020, 04012020, 04014020, 04015020, 04029910, 04029920, 04029992, 04039059, 04039029, 04039090, 04039040, 18069053, 19019025, 18069055, 19019027
Peanuts	12023010, 20081111, 20081191, 12024100, 12023020, 12024200, 20081112, 20081192, 20081942, 12089011, 12089021, 15081000, 15089000
Red beans	07102910, 07133200, 11061010, 20049010, 20060011, 20055110, 20060025, 20055910
Garlic bulbs	07032010, 07032090, 07129040
Dried Shiitake	07123920
Dried Day Lily	07129050
Young coconut	08011900, 08011200
Betel nuts	08028000
Bananas	08031010, 08031020, 08039010, 08039020
Pineapples	08043010, 08043020
Mangoes	08045021, 08045022
Shaddocks	08054020
Fresh pears (excluding European pears)	08083090
Dried longans and longan pulp	08134010
Rice	10061000, 10062000, 10063000, 10064000, 11029011, 11029019, 11031930, 11032010, 11041910, 11042920, 11081910, 18069071, 19023020, 19041020, 19042011, 19042021, 19021110, 19021910, 19022010, 18069061, 19049010, 18069092, 19019091, 21069098

3. The tariff quota regime only applies to goods originating in WTO members.

4. Certificates of tariff quota are issued to control the quantities of importation of the products listed in 2 above within the quota.

5. The issuance of certificates of tariff quota is implemented according to the provisions of the said Rules and is an administrative action pursuant to the said Rules authorized by the Customs Law. Therefore, the abolition of the certificates of tariff quota does not need approval from the legislative branch of the government.

Procedures

6. The products subject to restrictions on quantity or value: The decision of allocations is on a yearly basis in principle. The quota volume is decided in accordance with the concessions made under the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu's accession to the WTO.

-
- I. Specific conditions for applying for a TRQ allocation would be published in the official journal 60 days in advance of the start of the application period.
 - II. The decision of allocations is on a yearly basis in principle. The quota volume is decided in accordance with the concessions made under the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu's accession to the WTO.
 - III. Companies registered at the Bureau of Foreign Trade (under Ministry of Economic Affairs) as an import/export business (rice importers also have registered at the Council of Agricultural as a food dealer) would be eligible to submit to the BOT to apply for certificates under the quota allocation rules. The importers are requested to submit declarations and tariff quota certificates to the customs. In principle, the decision of allocations is on a yearly basis and unused quota is not added to the quota in the following year. The names of importers are posted on the bulletin board of BOT after allocated.
 - IV. The announcement of the allocation procedures would be made at least 21 days prior to the first day of accepting applications.
 - V. The period for submission of application for tariff quota certificates is 14 days.
 - VI. Certificates of tariff quota can be issued within a shorter period of time within one day. According to Article 16 of the Regulations of Tariff Quota, under the situation that imported goods are applying the in-quota tariff rate of the method of distribution in advance, whilst the importers cannot submit certificates on time but can rectify the procedure, the importers can apply for goods examined and released accompanied with the payment of guaranty deposit equivalent to the amount of customs calculated by the out-quota rate and rectify the procedure within the valid period of the certificates.
 - VII. Has to approach only one administrative body.
 - VIII. Under the method of distribution in advance, the quantities of quota application shall not exceed 20% of the total quota and less than the quantities of the commercially viable shipments.
 - IX.-XI. Not applicable.
7. Not applicable.
8. Any reason of objection will be specified on the announced notices. The process of applying for allocation is transparent and open.

Eligibility of importers to apply for licence

9. The qualification of applicants is as follows:

- Agricultural products: Rice, companies engaging in import and export business that have completed registration at the Bureau of Foreign Trade (under the Ministry of Economic Affairs), and also have registered as a food dealer at the Council of Agricultural.
- Other agricultural products, companies engaging in import and export business that have completed registration at the Bureau of Foreign Trade (under Ministry of Economic Affairs).

Documentational and other requirements for application for licence

10. A sample application form is attached (See ANNEX II-(1)(2)).
11. Upon actual importation, an Importer is required to submit certificates of tariff quota.
12. For the agricultural products under the method of Tariff Quota allocation conducted in the order applications are received. The applicants are required to pay NT\$1,000 when they apply for quota allocation or in case of transference of quota.

13. For the agricultural products under the method of distribution in advance, the authorities will collect a performance bond or premium whilst issuing the certification of tariff quota. The performance bond would be required to ensure complete utilisation of the allocations and would be returned to the holder after the holder imports its total allocation before its certificates expire. The performance bond would not be set at a level which would deter full utilisation of the quota or otherwise restrict trade. The premium was the amount that a bidder was willing to pay for obtaining the right to import goods and is non-refundable.

Conditions of licensing

14. The valid period of certificate of tariff quota: Agriculture products under the method of distribution in advance, provided that the quota is allocated once a year, the certificate of tariff quota is valid for products arriving on or before 1 September of that year and can be extended to cover products arriving on or before 31 December, if necessary.

15. There is no penalty for the non-utilization of an approval or a portion of it.

16. For agricultural products under the method of distribution in advance, the quota distributed can be transferred partial or wholly within the valid period of the certificates. To transfer quota, both obligee and transferee shall fill the application form of tariff quota and apply to the original authority which allocated the quota for transference of quota and the performance bond accompanied by the following documents:

- (a) The original certificates of tariff quota
- (b) The agreement of transference of tariff quota with mutual subscription
- (c) The agreement of transference of the performance bond with mutual subscription.

17. There are no other conditions attached to the issuance of an approval.

Other procedural requirements

18. There are no other administrative procedures, apart from obtaining an approval document prior to importation.

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

ANNEX I¹

CERTIFICATE FOR OPTICAL DISK MANUFACTURING IMPLEMENT IMPORT



輸入光碟製造機具申報備查書

Certificate for Optical Disk Manufacturing Implement Import

第1聯:國際貿易局存查聯

共1頁 第1頁

1 申報人 -- 統一編號:		2 <input type="checkbox"/> 置放處所/ <input type="checkbox"/> 製造場址 Location		
		3 製造光碟許可/備查文件字號 Doc. NO		
4 生產國別 Country of Origin TW		備查機構簽章 Approving Agency Signature		
備查書編號 NO.				
備查日期 Date				
注意事項 Note				
5 項次 Item	6 貨名、廠牌或廠名、型號、序號等 Description of Commodities Spec. and Brand or Maker, etc.	7 貨品分類號列及檢查 號碼C.C.C. Code	8 數量 Q' ty	9 單位 Unit

¹ See Questionnaire 1.

ANNEX II (1)¹**APPLICATION FORM FOR GLOBAL TARRIF RATE QUOTA (AGRICULTURAL)****APPLICATION FORM FOR TARIFF QUOTA**

Bank of Taiwan

(1) Applicant (Name in English and Chinese, Business Registration No., Address, Telephone No. and Facsimile No.):		(3) Source of Origin: WTO Member	
(2) Seals of the Applicant (including both company & person in charge):		(4) Documentations Attached 1. Copy of qualification documentation (please check applicable boxes) <input type="checkbox"/> Copy of Certificate for Exporter/Importer <input type="checkbox"/> Copy of Business Registered Certificate 2. Original Receipt of Post Office Fund-Transfer for Service Charge	
(5) Quantity: MTS (Quantity of Deer Velvet: KGS)	(6) Quota Variety/Product (check one box only) <input type="checkbox"/> E. Deer Velvet <input type="checkbox"/> F. Fresh Pears <input type="checkbox"/> G. Bananas	(7) Lot of Quota Allocation	
<i>We hereby agree to abide by the relevant notices and regulations concerning the application of Global Tariff Quota. In the meantime, we agree to accept, if violated, punishments including suspension of quota application, quotas withdraw etc. as stipulated in the Customs Law or other relevant laws.</i> to Bank of Taiwan			

***Remarks: 1. The above-mentioned products shall be imported in compliance with the relevant quarantine/inspection and importation regulations.**

2. To avoid errors and mistakes, please fill in this application form in accordance with instructions on the reverse side.

Do not fill in the right blank	Evaluation Result	Unqualified		<input type="checkbox"/> Qualified
		<input type="checkbox"/> 1. Unqualified date of sending <input type="checkbox"/> 2. Unqualified in applicant's qualification <input type="checkbox"/> 3. Incomplete Documentations <input type="checkbox"/> 4. Service Charge not paid address <input type="checkbox"/> 5. Unqualified quantity	<input type="checkbox"/> 6. Apply for more than one product <input type="checkbox"/> 7. Repeated application <input type="checkbox"/> 8. Application not sent through post office <input type="checkbox"/> 9. Application not sent to stipulated <input type="checkbox"/> 10. Others	
Allocation Result				

¹ See questionnaire 9.

ANNEX II (2)¹**PREMIUM BIDDING FORM FOR GLOBAL TARIFF QUOTA (AGRICULTURAL)**

We, the Bidder, hereby certify that we can firmly get supply of the qualified product and assures that the product will arrive on or before the validity date of quota certificate. Otherwise, we shall be responsible for any consequences. We also confirm that our bid for product is in conformity with all the requirements in BOT's Invitation documents as follows:

Quantity: _____ Metric Tons

※Notice:

Quantity is neither permitted to be lower than the floor quantity, nor over the ceiling quantity specified in Instructions for Bid of the products. The unit of quantity is metric ton.

Unit Price of Premium: New Taiwan Dollars _____ per Metric Ton.

If there is any illegal or improper activities that may impair the fairness of the bid, the bidder shall assume full legal responsibilities.

To

Bank of Taiwan, Department of Precious Metals

Bidder Name:

Bidder Seal: _____ Representative Seal:

Address, telephone no. and facsimile no. is the same as Certificate for Exporter/Importer registered in Bureau of Foreign Trade.

The Deposit will be paid by bank's check. Details are as follows:		BOT's Cashier:
Bidder: ____ bid for _ MT of product pay Deposit NT\$		
1. Kind of Check:	3. Check No.:	
2. Paying Bank:	4. Issuing Bank:	

Date of Opening Bid:

¹ See Questionnaire 9.

ANNEX III

LIST OF THE LAWS AND REGULATIONS REFERENCED IN 2022

Subject(s) of Questionnaire		Licensing Authority	Governing Regulations		Date of Promulgation/Amendment	Contact Point
1.	Commodities Subject to Conditional Import, Optical Disk Manufacturing Equipment	Bureau of Foreign Trade Ministry of Economic Affairs	1.	Foreign Trade Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=J0090004	2019/12/25 Amended	kaianchan@trade.gov.tw
			2.	Enforcement Rules of the Foreign Trade Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=J0090011	2021/09/10 Amended	
			3.	Regulations Governing Import of Commodities https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=J0090007	2010/07/08 Amended	
			4.	Regulations Governing Registration of Exporters and Importers https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=J0090006	2021/08/02 Amended	
			5.	Optical Disk Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=J0070030	2016/11/30 Amended	
			6.	Regulations Governing Export/Import of Optical Disk Manufacturing Implements	2009/11/27 Amended	
2.	Methyl Bromide, HCFCs and Other halogenated derivatives of acyclic hydrocarbons containing two or more different halogens	Environmental Protection Administration	1.	Methyl Bromide Management Regulations https://air.epa.gov.tw/airepaEn/EnvTopics/AirQuality_5.aspx	2019/02/18 Amended	phding@epa.gov.tw
			2.	HCFCs Consumption Management Regulations https://air.epa.gov.tw/airepaEn/EnvTopics/AirQuality_5.aspx	2019/02/18 Amended	
3.	Breeding Livestock/ Poultry and Genetic Resources, Genetically Modified Breeding Stock/ Poultry and Genetic Resources	Council of Agriculture	1.	Animal Industry Act https://law.coa.gov.tw/GLRSnewsout/EngLawContent.aspx?lan=E&id=109	2010/11/24 Amended	li4653@mail.coa.gov.tw hcchen@mail.coa.gov.tw
			2.	Guidelines for Screening Application for Letter of Approval for the Importation of Breeding Livestock and Poultry and Genetic Resources https://law.coa.gov.tw/GLRSnewsout/EngLawContent.aspx?lan=E&id=197	2015/04/30 Amended	
			3.	The Guidelines Needed for Obtaining Approval for the Import and Export of Genetically Modified Breeding Stock and Poultry and Genetic Resources	2009/06/19 Amended	

Subject(s) of Questionnaire		Licensing Authority	Governing Regulations		Date of Promulgation/Amendment	Contact Point
4.	Yellow-fin Tuna, Bluefin Tuna, Southern Bluefin Tuna, Swordfish, Big-eye Tuna Shark Fins, Toothfish, Fry of Eriocheir sinensis	Fisheries Agency, Council of Agriculture	1.	Notice of Application for Written Approval License to Import Yellow-Fin Tuna	2007/01/31 Amended	kunhong@ms1.fa.gov.tw
			2.	Notice of Application for Written Approval Licence to Import, Export and Re-Export Bluefin Tuna	2014/11/10 Amended	
			3.	Notice of Application for Written Approval Licence to Import, Export and Re-Export Southern Bluefin Tuna	2014/12/04 Amended	
			4.	Notice of Application for Written Approval Licence to Import, Export and Re-Export Swordfish	2008/12/25 Amended	
			5.	Notice of Application for Written Approval Licence to Import, Export and Re-Export Big-Eye Tuna	2008/12/25 Amended	
			6.	Regulations For the Importation of Shark Fins	2019/05/21 Amended	
			7.	Regulations For the Importation of Toothfish	2018/08/01 Promulgated	
			8.	Regulations on the Importation of Fry of Eriocheir sinensis	2021/03/10 Promulgated	
5.	Tobacco, Alcohol Products and Undenatured Ethyl Alcohol	National Treasury Administration (NTA) and other competent authorities	1.	The Tobacco and Alcohol Administration Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=G0330011	2017/12/27 Amended	karen0830@mail.nta.gov.tw
			2.	Enforcement Rules of the Tobacco and Alcohol Administration Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=G0330012	2014/12/22 Amended	
			3.	Regulations Governing Undenatured Ethyl Alcohol https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=G0330016	2014/12/26 Amended	
6.	Oil and Petroleum products	Bureau of Energy, Ministry of Economic Affairs	1.	Petroleum Administration Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=J0020019	2014/06/04 Amended	pctu@moea.gov.tw
7.	Fishing Boats	Fisheries Agency, Council of Agriculture	1.	Fisheries Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=M0050001	2018/12/26 Amended	juiche@ms1.fa.gov.tw
			2.	Enforcement Rules of the Fisheries Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=M0050002	2019/03/11 Amended	
			3.	The Regulation for Fishing Vessel Building Permit and Fishery License Issue https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=M0050009	2022/01/27 Amended	
			4.	Operating Rules for Screening Applications to Import Fishing Vessels Using New Fishing Methods	1999/11/08 Amended	
			5.	Regulations for the Import of Ex-Foreign Flagged Squid Vessels of Over 100 GRT Built in and Operated by Chinese Taipei	2007/11/06 Promulgated	

Subject(s) of Questionnaire		Licensing Authority	Governing Regulations		Date of Promulgation/Amendment	Contact Point
8.	Vessels	Maritime and Port Bureau, Ministry of Transportation and Communications (Motcmpb)	1.	Shipping Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=K0070001	2014/01/22 Amended	wmchen@motcmpb.gov.tw
			2.	The Law of Ships https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=K0070004	2018/11/28 Amended	
9.	Civil Aircraft	Civil Aeronautics Administration, Ministry of Transportation and Communications	1.	Civil Aviation Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=K0090001	2018/04/25 Amended	mylene@mail.caa.gov.tw
			2.	Regulations of Civil Air Transport Enterprise https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=K0090003	2021/10/18 Amended	
			3.	Regulations Governing General Aviation https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=K0090007	2015/07/30 Amended	
			4.	Ultra-Light Vehicle Regulations	2020/04/27 Amended	
			5.	Regulations Governing Private Aircraft Activities https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=K0090064	2017/12/12 Amended	
10.	Firearms, Ammunition, Controlled Swords, Simulation Guns, Police Weapons	National Police Administration, Ministry of Interior	1.	Regulation Governing Permission and Control of Firearms, Ammunition, and Knives https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=D0080056	2021/07/23 Amended	aron200371@npa.gov.tw thomas0215@npa.gov.tw
			2.	Firearms, Ammunition and Knives Control Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=D0080047	2020/06/10 Amended	
			3.	Social Order Maintaining Law (Partial Articles) https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=D0080067	2021/05/26 Amended	
			4.	The Use of Police Weapons Act https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=D0080042	2002/06/26 Amended	
			5.	Regulations Governing the Permission to Manufacture, Sell and Possess Police Weapons https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=D0080046	2008/08/22 Amended	
11.	Industrial Use Explosives	Bureau of Mines, Ministry of Economic Affairs	1.	Industrial Explosives Administrative Act https://www.mine.gov.tw/Download/ePInfo/e03A.pdf	2019/12/11 Amended	shunn@mine.gov.tw
12.	Tariff Quota	Customs Administration, Ministry of Finance	1.	The Regulations of Tariff Quota https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=G0350053	2011/09/27 Amended	cp01@customs.gov.tw