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Committee on Import Licensing

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REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹

NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES (2019)

URUGUAY

The following communication, dated 30 September 2019, is being circulated at the request of the delegation of Uruguay.

Outline of Systems

AUTOMATIC LICENSING IN URUGUAY

1. Licences for certain textile tariff headings listed in the Annex to Decree No. 394/00.

National Directorate of Industry (DNI) automatic import licensing regime for statistical purposes (in effect since February 2001).

Licences for the importation of edible oils (Mercosur Common Nomenclature (MCN) headings 1507.90.11.00, 1507.90.19.00, 1512.19.11.00, 1512.19.19.00, 1515.29.10.00, 1515.29.90.00, 1515.90.00.19, 1515.90.00.99, 1517.90.10.00 and 1517.90.90.00). Decree No. 275/001.

The importation of oils classified under the above MCN headings (1507.90.11.00, 1507.90.19.00, 1512.19.11.00, 1512.19.19.00, 1515.29.10.00, 1515.29.90.00, 1515.90.00.19, 1515.90.00.99, 1517.90.10.00, 1517.90.90.00) requires, as a precondition, the filing of an import application with the DNI of the Ministry of Industry, Energy and Mining (MIEM), which will forward it immediately to the Trade Policy Advisory Office of the Ministry of the Economy and Finance.

The DNI and the Trade Policy Advisory Office will approve such applications when received in appropriate and complete form.

Licences for all headings for footwear and parts thereof (Chapter 64). Decree No. 251/005.

The importation of products listed in Chapter 64 of the MCN will be subject to the prior filing of an import application with the DNI of the MIEM, which will approve such applications when received in appropriate and complete form.

NON-AUTOMATIC LICENSING IN URUGUAY

1. Exemptions from import prohibition: Article 318 of Law No. 18.172: Diesel engines and kits. Decree No. 290/008 and Decree No. 277/009.

Non-automatic import licence issued by the MIEM. The DNI will issue a licence if the party concerned provides documented proof that the goods to be imported are to be used for the purposes indicated in Decree No. 290/008.

¹ The questionnaire may be found in the annex to document G/LIC/3.

Licences for the importation of acetic acid. Decree No. 75/009 (MCN headings 2915.21.00.10 and 2915.21.00.90).

Article 4 of Decree No. 75/009 provides that the importation of acetic acid shall be subject to the requirement that a prior import licence be issued by the DNI.

- For food-grade acetic acid, the granting of a licence is subject to verification of the relevant food grade by the Technical Laboratory of Uruguay (LATU).
- For other acetic acids, a licence will only be granted if the application has been duly completed and it has been proven, by means of the declarations prescribed by Article 2 of Decree No. 75/009, that previous imports by the applicant were used properly.

Licences for the importation of baby feeding bottles. Ministry of Public Health Ordinance No. 158 of 21 March 2012 (MCN 3924.10.00).

Ministerial Ordinance (MSP) No. 158 of 21 March 2012 provides that the importation of baby feeding bottles shall be subject to the presentation of a sworn statement by the importing firm with the data requested under the Ordinance and a sworn statement from the technical manager of the factory of origin declaring that they do not use the monomer BPA in the production of baby feeding bottles.

Licences for the importation of goods controlled by the Ministry of National Defence, granted by the Material and Arms Service. Decree No. 91/993, Law No. 17.300.

Article 1 of Decree No. 91/993 provides that the Material and Arms Service shall have the responsibility to receive applications for the importation of explosives, firearms, ammunition and hazardous chemical substances, and to grant import certificates subject to the submission of the relevant technical documentation.

Exemptions from import prohibition: Article 2 of Law No. 17.887 (used vehicles).

The Executive may authorize exemptions from the prohibition on imports of used vehicles, provided that a certificate of necessity has been granted by the Ministry of Industry, Energy and Mining and the Ministry of Transport and Public Works, and that they relate to the goods listed in Article 2 of Law No. 17.887.

Licences for the importation of cannabis seeds, cannabis plants and finished or semi-finished cannabis products for medicinal purposes or for scientific research. Decree No. 46/015, Law No. 19.172.

Persons interested in importing or exporting cannabis seeds, cannabis plants, or finished or semi-finished cannabis products for medicinal purposes or for scientific research must apply to the Division of Controlled Substances of the Ministry of Public Health for the relevant import/export authorization, under the provisions of existing legislation.

Purposes and Coverage of Licensing

2. Licences for certain textile tariff headings listed in the Annex to Decree No. 394/00.

Licences for the importation of oils (MCN headings 1507.90.11.00, 1507.90.19.00, 1512.19.11.00, 1512.19.19.00, 1515.29.10.00, 1515.29.90.00, 1515.90.00.19, 1515.90.00.99, 1517.90.10.00 and 1517.90.90.00).

Licences for all headings for footwear and parts thereof (Chapter 64).

Acetic acid (MCN 2915.21.00.10; 2915.21.00.90).

Baby feeding bottles (MCN 3924.10.00).

Licences for the importation of controlled goods by the Ministry of National Defence: arms material, dangerous chemical substances, explosives, firearms and related materials (MCN 3601.00.00,

3602.00.00, 3603.00.00, 3604.10.00, 3604.90.90, 9301.10.00, 9302.00.00, 9303.20.00, 9303.30.00, 9303.90.00, 9304.00.00, 9305.10.00, 9305.20.00, 9305.91.00, 9305.99.00, 9306.21.00, 9306.30.00, 9306.90.00).

Exemptions from the prohibition on imports of used vehicles. Chapter 87: specialized vehicles that cannot be assembled in the country; donations of units for non-profit purposes received from abroad; cabs for vehicles covered under the existing headings 8704.22, 8704.23 and 8704.32 corresponding to the third amendment to the Harmonized Commodity Description and Coding System; sports or classic vehicles over 20 years of age used exclusively for exhibition or competition purposes in accordance with the regulations set by the Ministry of Industry, Energy and Mining for this purposes, and special vehicles for the transport of persons on sports grounds.

Licences for the importation of cannabis seeds, cannabis plants and finished or semi-finished cannabis products for medicinal purposes or for scientific research (MCN 0602.10.00, 0602.90.89, 1209.99.00, 1211.90.90, 2202.10.00).

3. Licences for a group of textile headings for trade with third countries.

Licences for the importation of oils, irrespective of origin.

Licences for all headings for footwear and parts thereof (Chapter 64), irrespective of origin.

Licences for the importation of acetic acid, irrespective of origin.

Exemptions from the prohibition on imports of diesel motors and kits: irrespective of origin.

Licences for the importation of baby feeding bottles: irrespective of origin.

Licences to import goods controlled by the Ministry of National Defence, granted by the Material and Arms Service: irrespective of origin.

Exemptions from the prohibition on imports of used vehicles: irrespective of origin.

Licences for the importation of cannabis seeds, cannabis plants and finished or semi-finished cannabis products for medicinal purposes or for scientific research: irrespective of origin.

4. The licensing procedure is not intended to restrict the quantity of imports.

Purpose of licences: statistical purposes (for textiles, footwear and oils), human health care (acetic acid, baby feeding bottles, cannabis, used vehicles) and security reasons (goods controlled by the Ministry of National Defence).

5. The licensing procedure is mandatory in all the cases cited. Existing legislation sets out the products that are subject to this process in all cases, except for the "Exemptions from the prohibition on imports of used vehicles" category of licences brought in by a Law. The other licences mentioned were introduced by Executive Decrees.

Procedures

6.

I.-IV. There are no quotas for or restrictions on the importation of goods subject to a licensing obligation.

V. The minimum length of time for the processing of licences for oils, footwear, acetic acid and products for the automotive industry is 48 hours. For textiles, applications are approved immediately (provided that they are submitted in appropriate and complete form and are administratively feasible).

The maximum length of time for the processing of licences for oils, footwear, automotive products and textiles is ten working days.

The maximum length of time for the processing of acetic acid is ten working days subject to compliance with the requirements set forth in the legislation.

The maximum length of time for processing licences to import diesel engines and "kits" is 15 working days (counting from the day after the application is filed). Where the advice of another Ministry is required, this period will be extended by an additional ten days (Decree No. 290/008).

- VI. Upon approval of the licence, the single customs document (DUA) may be registered immediately.
- VII. In the case of licences for oils, footwear, textiles, exemptions from the prohibition on imports of used vehicles and acetic acid, applications are filed with the DNI.

In the case of licences to import baby feeding bottles, applications are filed with the Department of Medicines and Foodstuffs, Cosmetics and Household Hygiene Products of the Ministry of Public Health.

Applications for the importation of goods controlled by the Ministry of National Defence are filed with the Material and Arms Service.

Applications for licences to import cannabis seeds, cannabis plants and finished or semi-finished cannabis products for medicinal purposes or for scientific research are filed with the Division of Controlled Substances of the Ministry of Public Health.

All applications are to be filed electronically through the Single Window for Foreign Trade (VUCE).

- VIII.-XI. These questions do not apply as they relate to licences and do not imply an import restriction for quota administration purposes.

7.

- (a-d) All licence applications are processed and dealt with in chronological order.

There is no provision for the urgent processing of licence applications.

Textiles, footwear and oils: applications for licences are submitted to the National Directorate of Industry of the Ministry of Industry, Energy and Mining for processing. In addition to the approval of the National Directorate of Industry, the approval of the Trade Policy Advisory Unit of the Ministry of the Economy and Finance is also required. The importer deals with only one body.

8. Not applicable.

Eligibility of Importers to Apply for Licence

- 9. The importer or body authorized to engage in importation is entitled to apply for a licence upon registration.

Documentational and Other Requirements for Application for Licence

- 10. Presentation of a commercial invoice will be requested in all cases.

- 11. The documents normally needed for the issue of the single customs document (DUA) are required in all cases.

- 12. The National Directorate of Industry charges UR 0.2 per licence. The adjustable unit (UR) is an adjustable amount based on the average wage index and calculated by the National Statistical Institute.

- 13. This is not the case in Uruguay.

Conditions of Licensing

14. The licences referred to are valid for 60 days, except for those relating to the importation of cannabis seeds, cannabis plants and finished or semi-finished cannabis products for medicinal purposes or for scientific research, which remain valid for 120 days. A new licence application must be submitted for longer periods.

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

16. Licences are not transferable

17. There are no other conditions.

Other Procedural Requirements

18.-19. Possession of a licence is not a prerequisite for obtaining foreign exchange. Foreign exchange is freely available in Uruguay and there are no restrictions on the transfer of capital or profits to or from foreign countries.

Note: List of acronyms used in this document:

MIEM - Ministry of Industry, Energy and Mining
DNI - National Directorate of Industry
MEF - Ministry of the Economy and Finance
APC - Trade Policy Advisory Unit
DNA - National Customs Directorate
DUA - Single Customs Document
DGI - Directorate-General of Taxation
BPS - Social Insurance Bank
UR - Adjustable Unit
INE - National Statistical Institute
