AGREEMENT ON IMPORT LICENSING PROCEDURES

Notification under Article 5.1 to 5.4 of the Agreement[[1]](#footnote-1)

tonga

The following notification dated 16 August 2021, is being circulated at the request of the delegation of Tonga.

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# Business Licences Act [Cap.17.01]

|  | **Category** | **Notification details** |
| --- | --- | --- |
| **1** | **Notifying Member** | **Tonga** |
| **2** | **Title of new legislation/ procedure** | Business Licences Act [Cap.17.01]  |
| **3** | **Date of Publication** | 14 October 2002 |
| **4** | **Date of entry into force** | 2 April 2007 |
| **5** | **Website link/Official publication of the new regulation/procedure** | [Business Licences Act (ago.gov.to)](https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2002/2002-0023/BusinessLicencesAct_3.pdf) |
| **6** | **Have you attached a copy of the regulation (PDF) to the Secretariat** | [ ] Yes. (*Please attach a copy of the regulation to the notification.*)[x] No. |
| **7** | **Type of notification** | [x] (a) New licensing regulation/procedure[[2]](#footnote-2); (please answer question 8 to 14)[ ] (b) Changes to a regulation/procedure which has been previously notified in document; (*please answer question 15 and 16*) |
| **8** | **List of products subject to licensing** | N/A |
| **9** | **Nature of licensing** | Automatic: [ ]Non-Automatic: [x] |
| **10** | **Administrative purpose/measure being implemented** | (a) | [ ]  | Protect public morals; |
| (b) | [ ]  | Protect human, animal or plant life and health; protect environment; |
| (c) | [ ]  | Collect trade statistics or market surveillance; |
| (d) | [ ]  | Protection of patents, trademarks and copyrights, and the prevention of deceptive practices; |
| (e) | [ ]  | Pursue obligations under the UN Charter and other international treaties (*i.e. CITES, Basel Convention, Rotterdam Convention, UNSC Resolutions etc.)* |
| (f) | [ ]  | Quota (including TRQ) administration; |
| (g) | [ ]  | Regulate imports of arms, ammunition or fissionable materials and safeguard national security; |
| (h) | [x]  | Other: Regulate Importing Businesses  |
| **11** | **Administrative body(ies) for submission of applications**  | Ministry/authority and Department: Ministry of Trade and Economic development/Business Registry DivisionAddress: Latai Estate, Cnr.of Tupoulahi and Salote Road, Fasi-moe-Afi, Nukualofa, Tonga. Website: [https://mted.gov.to](https://mted.gov.to/) Telephone: 7400105/7400104E-Mail: ceo@mted.gov.to  |
| **12** | **Contact point for information on eligibility** | Ministry/authority and Department: Ministry of Trade and Economic Development/Business Registry Division Address: Latai Estate, Cnr.of Tupoulahi and Salote Road, Fasi-moe-Afi, Nukualofa, Tonga.Website: <https://mted.gov.to> Telephone: 7400105/7400104E-Mail: ceo@mted.gov.to |
| **13** | **Expected duration of licensing procedure** | Ongoing |
| **14** | **A summary of the notification in one of the WTO official languages**  | This Act provides for the licensing of business activities including import businesses.  |
| **15** | **In the case of 7(b), please indicate the type of new change(s)** |

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| --- | --- | --- |
| **(a)** | [ ]  | **Termination** |
| **(b)** | [ ]  | **Suspension** |
| **(c)** | [ ]  | **Modification of specific details in existing** **procedures:** |
| [ ]  | Product coverage; |
| [ ]  | Administrative purpose; |
| [ ]  | Automatic or Non-automatic; |
| [ ]  | Duration of licensing; |
| [ ]  | Change the nature of quantity/value restriction; |
| [ ]  | Eligibility of applicants; |
| [ ]  | Contact information on eligibility; |
| [ ]  | Administrative body(ies) for submission of application; |
| [ ]  | Documentation requirements (including application form); |
| [ ]  | Period for Application; |
| [ ]  | Administrative body(ies) to issue licence; |
| [ ]  | Processing time for issuing licence; |
| [ ]  | Licence fee/administrative charge; |
| [ ]  | Deposit/advance payment and relevant conditions; |
| [ ]  | Appeal regulations/procedures; |
| [ ]  | Validity of licence; |
| [ ]  | Other conditions of licence (extension, transferability, penalty of non-use etc.); |
| [ ]  | Foreign exchange requirements; |
| [ ]  | Other: \_\_\_\_\_\_\_\_\_\_ (please specify). |

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| **16**  | **Please elaborate the changes in detail (in one of the WTO official languages)** |  |

# Business Licences Regulations [cap.17.01.01]

|  | **Category** | **Notification details** |
| --- | --- | --- |
| **1** | **Notifying Member** | **Tonga** |
| **2** | **Title of new legislation/ procedure** | Business Licences Regulations [Cap.17.01.01]  |
| **3** | **Date of Publication** | 7 January 2013 |
| **4** | **Date of entry into force** | 7 January 2013 |
| **5** | **Website link/Official publication of the new regulation/procedure** | [Business Licences Regulations (ago.gov.to)](https://ago.gov.to/cms/images/LEGISLATION/SUBORDINATE/2012/2012-0013/BusinessLicencesRegulations_3.pdf) |
| **6** | **Have you attached a copy of the regulation (PDF) to the Secretariat** | [ ] Yes. (*Please attach a copy of the regulation to the notification.*)[x] No. |
| **7** | **Type of notification** | [x] (a) New licensing regulation/procedure[[3]](#footnote-3); (please answer question 8 to 14)[ ] (b) Changes to a regulation/procedure which has been previously notified in document; (*please answer question 15 and 16*) |
| **8** | **List of products subject to licensing** | 1. Agricultural Products
2. Fish Products
3. Liquor
4. Therapeutic Goods
5. Flammable Goods
6. Transportation
7. Recycling
8. Telecommunication
9. Construction
10. Information Technology
 |
| **9** | **Nature of licensing** | Automatic: [ ]Non-Automatic: [x] |
| **10** | **Administrative purpose/measure being implemented** | (a) | [ ]  | Protect public morals; |
| (b) | [ ]  | Protect human, animal or plant life and health; protect environment; |
| (c) | [ ]  | Collect trade statistics or market surveillance; |
| (d) | [ ]  | Protection of patents, trademarks and copyrights, and the prevention of deceptive practices; |
| (e) | [ ]  | Pursue obligations under the UN Charter and other international treaties (*i.e. CITES, Basel Convention, Rotterdam Convention, UNSC Resolutions etc.)* |
| (f) | [ ]  | Quota (including TRQ) administration; |
| (g) | [ ]  | Regulate imports of arms, ammunition or fissionable materials and safeguard national security; |
| (h) | [x]  | Other: Regulate import business activities  |
| **11** | **Administrative body(ies) for submission of applications**  | Ministry/authority and Department: Ministry of Trade and Economic Development/Business Registry Division Address: Latai Estate, Cnr.of Tupoulahi and Salote Road, Fasi-moe-Afi, Nukualofa, Tonga. Website: <https://www.mted.gov.to> Telephone: (+676) 7400105/7400104E-Mail: ceo@mted.gov.to  |
| **12** | **Contact point for information on eligibility** | Ministry/authority and Department: Ministry of Trade and Economic Development/Business Registry DivisionAddress: Latai Estate, Cnr.of Tupoulahi and Salote Road, Fasi-moe-Afi, Nukualofa, Tonga.Website: <https://www.mted.gov.to> Telephone: (+676) 7400105/7400104E-Mail: ceo@mted.gov.to  |
| **13** | **Expected duration of licensing procedure** | Ongoing |
| **14** | **A summary of the notification in one of the WTO official languages**  | This Regulation provides for the licensing of all import business activities.  |
| **15** | **In the case of 7(b), please indicate the type of new change(s)** |

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| --- | --- | --- |
| **(a)** | [ ]  | **Termination** |
| **(b)** | [ ]  | **Suspension** |
| **(c)** | [ ]  | **Modification of specific details in existing** **procedures:** |
| [ ]  | Product coverage; |
| [ ]  | Administrative purpose; |
| [ ]  | Automatic or Non-automatic; |
| [ ]  | Duration of licensing; |
| [ ]  | Change the nature of quantity/value restriction; |
| [ ]  | Eligibility of applicants; |
| [ ]  | Contact information on eligibility; |
| [ ]  | Administrative body(ies) for submission of application; |
| [ ]  | Documentation requirements (including application form); |
| [ ]  | Period for Application; |
| [ ]  | Administrative body(ies) to issue licence; |
| [ ]  | Processing time for issuing licence; |
| [ ]  | Licence fee/administrative charge; |
| [ ]  | Deposit/advance payment and relevant conditions; |
| [ ]  | Appeal regulations/procedures; |
| [ ]  | Validity of licence; |
| [ ]  | Other conditions of licence (extension, transferability, penalty of non-use etc.); |
| [ ]  | Foreign exchange requirements; |
| [ ]  | Other: \_\_\_\_\_\_\_\_\_\_ (please specify). |

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| **16**  | **Please elaborate the changes in detail (in one of the WTO official languages)** |  |

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1. It is understood that the notifying Member has also completed its notification obligations under Article 1.4(a) and Article 8.2(b) regarding the relevant law/regulation/procedure notified for by filling this form in a full and complete manner. [↑](#footnote-ref-1)
2. "New licensing regulation/procedure" is understood to refer to any newly introduced law, regulation or procedure, and those which are in force but being notified for the first time to the Committee. [↑](#footnote-ref-2)
3. "New licensing regulation/procedure" is understood to refer to any newly introduced law, regulation or procedure, and those which are in force but being notified for the first time to the Committee. [↑](#footnote-ref-3)