Outline of system

1. An open general licence is granted for the importation of all goods into Malta other than those listed in a schedule to the relevant legislation. Some listed goods are normally freely licensed, others are freely licensed during certain periods only, some are subject to a quota and others are prohibited for various reasons. Imports of whatever nature from countries in the so-called "Eastern Area" always require a licence.

Purposes and coverage of the licensing

2. The licensing systems in force are the following:

A. Freely licensed
B. Freely licensed (seasonal)
C. Freely licensed (subject to approval by the Medical and Health Department)
D. Freely licensed (subject to approval by the Department of Agriculture and Fisheries)
E. Licence issued according to previous imports
F. Prohibited goods

Annex A lists the items involved.

3. The systems referred to apply without any discrimination to all countries other than Southern Rhodesia in respect of which Malta is at the moment imposing sanctions in accordance with the relevant United Nations Resolution.

4. Licensing is generally intended to restrict the quantity or value of imports mainly in the interests of developing local industry or agriculture. In other cases it has been possible to attain the same end via the Customs Tariff. However, this latter method is not always feasible particularly in view of the smallness of the local market.
5. Licensing is maintained under the Importation (Control) Regulations, 1969, published by Legal Notice in terms of the Supplies and Services Act, 1947 which provides that the Minister responsible for Industrial Development may make regulations to control imports. Licensing, therefore, is required by statute. Designation of products to be subjected to licensing is a legislative matter. When a new item is inserted in the list or an existing one taken out, a copy of the relevant amending regulations has to be laid on the table of the House of Representatives. The list of controlled goods can be changed as necessary. The system can only be abolished through legislative approval.

Procedure

6. (a) Information on the allocation of new quotas is published in the Malta Government Gazette. Once a quota has been established, however, entitled importers are generally informed direct in subsequent years. Where a quota is not reserved for established importers but is open to all applicants from year to year the call for applications is published in the Gazette. In these cases the overall amount of the quota is normally published. Quotas are allocated to individual importers and not to goods from a particular country. Individual quotas allocated to each importer are never published.

(b) Quotas are determined on a yearly basis although there are a few cases where the quotas are issued on a half-yearly basis. In the latter case importers have to apply for a fresh licence every six months.

(c) Licences are not allotted to domestic producers of like goods. Quota holders practically always import all their entitlements and no special measures are taken to ensure that allocations are fully used up. Unused allocations are not carried over to a succeeding period except in cases of "force majeure". The names of importers who have been granted import quotas are not published; hence governments and export promotion bodies of exporting countries cannot be given this information.

(d) From two to three weeks are normally allowed for the submission of applications for licences from the time of announcing the opening of quotas.

(e) The processing of applications normally takes a few days. In some cases, however, a few weeks may be required.

(f) Once a licence has been issued importation can normally take place immediately. Only in exceptional cases is a condition imposed that importation may not be effected before a certain date.

(g) Applications for licences for the importation of industrial products are practically all considered by the Department of Trade, except as indicated in the lists at 2A to F above. The importer does not need to approach the other departments.
(h) Generally allocations are based on past performance and no provision is made for new importers. Only in a very few cases has a global amount been fixed for distribution among established agents/importers in a particular line. In such cases the allocation was equally distributed among applicants, and new importers benefit from any increases that are decided upon from time to time. Applications are examined simultaneously after the closing date set by the relative notice.

(i)

(j) Not applicable to Malta.

(k)

7. (a) Applications for licences should preferably be submitted before the placing of orders abroad. However, so long as restrictions are not imposed on the goods in question licences can be issued at short notice even if the consignment has arrived at the port without a licence.

(b) Licences are issued on presentation of application.

(c) Items falling under the list at 2B may be freely imported under licence only during certain periods of the year.

(d) Consideration and approval of applications for licences is effected by the Department of Trade without reference to any other administrative organ.

8. Except in cases where the importation of certain goods is prohibited or where the applicant is not entitled to a quota (if a quota applies) licences are not normally refused. Certain conditions, of course, have to be met, e.g. retail price undertaking in certain instances or a grading or type requirement as in the case of seed potatoes. Reasons for refusal are generally given and applicants may, if they wish, appeal to the Minister responsible for the Department of Trade.

Eligibility of importers to apply for licence

9. (a) Under restrictive licensing conditions only importers who can prove past performance are eligible to apply for a licence. In a limited number of cases this criterion was not enforced and all importers may therefore apply. (cfr. 6(a)).

(b) Under non-restrictive conditions licences are issued to all applicants.
Documentational and other requirements for application of licence

10. In applying for a licence prospective importers should give the following information:

(a) Full name and address of applicant;

(b) country from which goods are being consigned;

(c) country of origin;

(d) approximate total c.i.f. value of order;

(e) particulars of goods to be imported.

A sample application form and specimen licence forms are enclosed (Annex B). No documents are usually required to be supplied with the applications except such information as is necessary to ascertain the nature of the goods in doubtful cases.

11. When actual importation takes place the importer should present the customs copy of the licence to the customs authorities before release can be effected. This is, of course, in addition to the usual invoice and certificate of origin or other document that may be required by customs.

12. A licensing fee of 6d. is charged in the form of a postage stamp on each application.

13. No deposits or advance payments are required for the issue of licences.

Conditions of licensing

14. The goods to which a licence relates must be shipped within such date as may be specified to that effect in the licence, or, if no such date has been specified within eight months from the date of the issue of the licence. The validity of a licence may be extended at the discretion of, and on application to, the Department of Trade.

15. A penalty is imposed for the non-utilization of a licence only in exceptional circumstances as in the case of essential supplies in respect of which a contract has been entered into with Government by the importer.

16. Licences are not transferable between importers.

17. (a) Various conditions may be imposed in a number of cases as already indicated in paragraph 8 for products subject to quantitative restrictions.

(b) Conditions are rarely imposed for products not subject to quantitative restrictions.
Other procedural requirements

18. No other administrative procedures are required.

19. Foreign exchange is automatically provided by the banking authorities for goods which have been imported on presentation of documentary proof of importation. Since foreign exchange is made available after and not before importation the question of having an import licence or not does not arise. Foreign exchange is therefore, always available to cover licences issued provided they have been utilized. No other formalities are required to obtain the necessary foreign exchange.
Annex A

Freely licensed

ex 04.02  Cream, preserved other than canned
ex 04.02  Milk powder skimmed (with addition of 10 per cent sucrose), in bulk
ex 04.03  Butter in bulk
ex 04.04  Cheddar and Edam cheese
ex 04.04  Cheese, grating and peppered
ex 15.13  Margarine
ex 16.04  Mackerel, salmon, tuna canned
ex 18.06  Fruit in tins other than peaches and pears
ex 20.06  Chocolate easter eggs
ex 21.07  Ice-cream mixtures
ex 28.42  Crystal soda
ex 29.25  Saccharine and other similar sweetening agents for medicinal purposes
ex 32.09  Plastic emulsion and water paints
ex 34.01  Laundry soap
ex 34.02  Detergents
ex 36.06  Matches
ex 39.07  Shopping bags of rigid net or string
ex 42.02  Trunks, satchels
ex 42.02  Travelling bags of plastic, leather or canvas: (a) duffle bags, (b) other types over 16" in length
ex 48.15  Toilet paper
ex 48.18  Exercise books
ex 48.19  Gummed paper labels, printed
ex 58.09  Lace (with Malta emblems), machine made if indelibly marked with the country of origin
ex 58.09  Lace, not in imitation of Malta lace
ex 59.01  Shoulder pads made of wadding
ex 60.02  Shopping bags not of plastic or leather
ex 60.10  Men's and children's socks other than nylon/man-made fibres
ex 61.01  Jeans
ex 61.03  Men's and boys' shirts, not woven
ex 64.02  Footwear, leather
ex chap. 71  Manufactured or semi-manufactured articles of gold (not including filigree)

ex 73.10  Building bars and rods
ex 73.21  Metal doors and windows
ex 74.19  Candlesticks, other than of solid brass or bronze
ex 76.16  Venetian blinds
ex 85.19  Electrical wiring accessories
ex 85.19 Earth leakage circuit breakers
ex 98.11 Cigar and cigarette holders (except those made of bone, ivory or silver) (Die-stamped with the country of origin)
ex 98.11 Smokers' ash receptacles (other than those made wholly of glass, and advertising ashtrays)
ex 98.11 Smoking pipes, costing more than 57/- f.o.b. per dozen
ex 99.00 Paintings in oil or water colour (antiquess)

Freely licensed (seasonal)

07.01 Vegetables, fresh or chilled, of the local type
07.02 Vegetables, frozen of the local type
08.02/04 Fruits, fresh of the local type
08.06/09 Fruits, frozen, of the local type

Freely licensed (subject to approval by Medical and Health Department)

22.08B Alcohols and glycols
29.25/26/30 Saccharine and other sweetening agents other than those for medicinal purposes

Freely licensed (subject to approval by the Department of Agriculture and Fisheries)

01.01 Equines
01.02 Bovines
01.04 Caprines and ovines
ex 02.01 Meat of equines, bovines, caprines and ovines
ex 02.04 Meat of rabbits, of game; parts of dead poultry
ex 02.06 Pigs' feet
ex 04.05 Egg powder and egg albumen
ex 07.05 Horsebeans, chickpeas, dariseed, sorghum
10.03 Barley
10.05 Maize
ex 23.02 Bran, pollard, middlings
23.04 Cottonseed cake
23.07 Prepared animal feeding stuffs

licence issued according to previous imports

ex 02.02 Ducks and turkeys
ex 02.06 Bacon
ex chap.15 Cooking fats
ex 15.07 Edible oil in containers exceeding 1 litre capacity
ex 16.01 Sausages, fresh, chilled or frozen
ex 19.08 Cakes and puddings (rich fruit)
ex 20.04 Glace' cherries
ex 20.06 Fruit in tins (peaches and pears)
21.06 Baking powder
ex 21.07 Jellies in crystal form, cream and custard powder
ex 22.05 Wine in bulk including must and grape juices
ex 30.04 Cotton wool
ex 34.06 Candles
ex chap.39 Plastic flexible cellular foam in blocks, sheets or chips
ex 42.02 Women's and children's handbags, of plastic or leather and fibre/
       fibreboard suitcases
ex 48.21B Sanitary towels of paper
ex 49.11 Postcards with subjects of local interest
ex 55.09 Grey cotton cloth
ex 55.09 Sheeting of bleached cotton
ex 59.01.l Sanitary towels of wadding
ex 60.03 Ladies' nylon stockings and men's and children's socks of nylon/man-
       made fibres
ex 61.01 Men's trousers
ex 61.03 Men's woven shirts with collar attached
ex 62.050 Other textiles sanitary towels
ex 70.09 Glass mirrors (other than framed mirrors under 8" in length or diameter)
ex 73.39 Steel wool
ex 87.02 Used motor-cars and vans
ex 94.01 Wooden chairs
ex 94.04 Spring mattresses
ex 96.02 Floor brooms

Prohibitions

01.03 Swine
01.05 Poultry
ex 01.06 Rabbits
ex 02.01 Meat (pork)
ex 02.02 Dead poultry
ex 04.01 Milk and cream fresh, yoghurt, rikotta
ex 04.02 Milk powder, full cream, without addition of 10 per cent sucrose
       in bulk
ex 04.05 Eggs, in the shell
ex 04.06 Natural honey
ex 10.01 Wheat in grain
11.01 Flour, including self-raising flour

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1Licences granted occasionally on recommendation of Director of Agriculture
   and Fisheries

2Licences granted in exceptional circumstances
ex 11.01 Semolina
ex 17.01 Sugar, icing
ex 17.04 Sugar almonds, Helwa
ex 19.03 Macaroni, spaghetti and similar products
ex 19.07 Bread
ex 19.08 Cakes, pastries, puddings (plain)
ex 20.02 Tomato paste, canned tomatoes
ex 20.02 Peas, canned
ex 20.04 Potato crisps, other than in tins
ex 20.04 Potato crisps, in tins
ex 20.04 Candied peel
ex 21.07 Ice-cream
ex 23.05 Lees in any stage, form or state
ex 25.01 Common salt
ex 27.11 Liquified petroleum or natural gas
ex 27.14/16 Bituminous emulsions
ex 28.04 Oxygen
ex 28.13 Carbon dioxide CO₂
ex 40.11 Motor-car tyres, other than new
ex 42.02 Shopping bags of plastic or leather
ex 44.21 Bottle crates for soft drinks
ex 44.23 etc. Prefabricated houses
ex 46.03 Baskets and basketware (other than furniture) of cane, willow or wicker
ex 48.19 Paper labels, printed, (other than gummed) of the type manufactured locally
ex 49.11 Commercial letterheads and other printed matter
ex 49.11 Theatre tickets and posters (including maps or plans of Malta) which can be produced locally
ex 58.09 Hand-made lace (with Malta emblems)
ex 61.03 Boys' woven shirts with collar attached
ex 62.02 Bed sheets and pillow cases of grey cotton cloth
ex 62.03 Flour bags made of grey cotton cloth
ex 68.02 Worked marble, stone
ex 68.11 Cement tiles (other than glazed wall tiles)
ex 71.12 Gold or silver filigree articles
ex 73.21 Collapsible iron gates (of the type manufactured locally)
ex 73.31 Iron nails (of the type manufactured locally)
ex 73.32 Wood screws (of the type manufactured locally)
ex 73.38/40) Articles representing or incorporating a dolphin in embodied form whether in finished or partly finishes state
ex 73.38 Baths exceeding 5 feet 6 inches in length
ex 73.40 Wrought iron work
ex 74.19 Candlesticks of solid bronze or brass
ex chap.84 Machinery for the production of aerated water, gas, macaroni, spaghetti and similar products, brooms, socks and stockings, filigree, tomato paste, water pumps as well as flour milling, refrigeration and ticket issuing machines

1 Licences granted in exceptional circumstances
ex 85.20 Neon signs
ex 87.02 Motor hearses
ex 87.02 Motor buses and bodies for motor buses, whether ready built or in a knocked-down condition
ex chap.93 Arms and ammunition
ex 98.01 Buttons (other than those of leather or shell)
ex 98.11 Smoking pipes costing less than 57/- f.o.b. per dozen
ex 98.11 Pipe racks
ex 99.01 Paintings in oil or water colour framed or unframed, on any material (not antiques)

Licences granted in exceptional circumstances
APPLICATION FOR AN IMPORT LICENCE

Full name and address of applicant: 

Country from which the goods are being consigned: 

Valur approssimattiv C.I.F. ta' l-ordni: 
Approximate total C.I.F. value of the order: 

In figures: £ (bil-kliem) ..............................................

Country from which the goods originate: 

B'din l-aplikazzjoni qed nitlob penness biex nimporta l-oġġetti msemmijin hawn fuq. 
I hereby apply for the grant of a licence to import the goods specified above.

Data........................................... 
Date

Signature of Applicant.

Remarks

DIRECTOR OF TRADE. 

Form D.T. 33. R38/S74.75
**DIPARTIMENT TAL-KUMMERC — MALTA**
**DEPARTMENT OF TRADE — MALTA**

**LICENZA TA' MPORTAZZJONI Nra.**
**IMPORT LICENCE No.**

<table>
<thead>
<tr>
<th>Isem shih u ndirizz l-importatur:</th>
<th>Pajjiż mnejn ġejjin l-oggetto:</th>
</tr>
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<tbody>
<tr>
<td><strong>Full name and address of importer:</strong></td>
<td><strong>Country from which the goods are being consigned:</strong></td>
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<tr>
<td></td>
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<tr>
<td>Pajjiż ta' l-origini ta' l-oggetti:</td>
<td>Country from which the goods originate:</td>
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- **Valur approssimattiv C.I.F. ta' l-ordni:**
  - Approximate total C.I.F. value of the order:
  - Bil-figuri: £ (bil-kliem)
  - In figures: £ (in words)

<table>
<thead>
<tr>
<th>Dettalji ta' l-oggetti li se jiġu importati:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Particulars of goods to be imported:</strong></td>
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</tbody>
</table>

1. **Din il-/licenza ma tibqax valida kemm-il darba l-oggetti li ghallhom nghata l-permess ta' l-importazzjoni ma jiġux mitluqa fi żmien...**
   - mid-data li fiha tkun ħarġet il-licenza.
   - *This licence will cease to have effect if the goods in respect of which it has been issued are not shipped within... from the date of the issue of this licence.*

2. **Din il-licenza hija mahruga taht il-kondizzjonijiet ġenerali msemmijin fir-Regolamenti tal-1969 dwar il-Kontroll ta' l-Importazzjoni.**
   - *This licence is granted under the general conditions laid down in the Importation (Control) Regulations, 1969.*

**Timbru Dipartimentali Departmental Stamp**

**Direttur Tal-Kummerċ**
**DIRECTOR OF TRADE**

*Form DT 36 — RJ/s.56-67*
Extract from the Importation (Control) Regulations 1969

"Para. 8: A licence issued under these Regulations shall cease to have effect and any goods purported to have been imported thereunder shall be deemed to have been imported without a licence:—

(a) if the order for the goods is not definitely placed and confirmed within one month from the date of the issue of the licence; or

(b) if the goods to which the licence relates are not shipped within such date as may be specified to that effect in the licence, or, if no such date has been specified, within eight months from the date of the issue of the licence; or

(c) if the goods originate in or are consigned from a country other than that shown on the licence; or

(d) if the licence is used by a person or firm other than the one shown on the licence; or

(e) if the price per unit of measure or, at the case may-be, of weight at which the goods are imported exceeds the price shown on the licence."

Explanatory Note:

The issue of an individual import licence does not relieve the importer from the obligation to obtain any licence, permission or authority required under any law, in particular the Exchange Control Emergency Ordinance, 1959.