GENERAL AGREEMENT ON TARIFFS AND TRADE

Committee on Trade in Industrial Products
Group 4 - Licensing

REPLIES TO THE QUESTIONNAIRE ON LICENSING

Addendum

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Outline of systems

1. Application on the approved forms should be submitted by importers for those goods they desire to import during the period ending 31 December of every year using the classification laid down in the Customs Import and Export Lists. Applications must show clearly the value of goods and quantity required.

2. There are in fact two types of licences.

(a) Open General Licences.

(b) Specific Import Licences.

Open General Licences

There is at present one Open General Licence which permits an importer to import freely from any country of his choice the goods specified therein in the schedule.

Specific Import Licence

All items not permitted under the authority of Open General Licence must be covered by Specific Import Licence before they can be allowed.

(a) Open General Licence applies to goods originating from Commonwealth European Payments Union and American Account Countries.

(b) Specific Licences are required for the importation of goods from all communist countries.

3. The system applies to goods from all countries.

(a) The deadline date to submit application is 31 October every year.

(b) The maximum time of processing application is approximately a month.
(c) Licences are issued as from 1 January-31 December of every year.

(d) Consideration of licence application is effected by a single administrative organ.

(e) Licences are issued on past performance for reasonable amounts to bona fide importers. Provision is made for importers.

(f) Where export licences are issued by exporting countries no import licences are required.

4. The licensing is intended to restrict in some cases the quantity and in other instances the value of imports. So far no alternative method has been adopted.

5. (i) The Customs (Imports and Exports) Order in Council.
(ii) The licensing is statutorily required.
(iii) Yes.
(iv) No.

6. (a) For products under restriction, the information concerning allocation of quotas and formalities of filling applications for licences is published. Information regarding the overall amount or the amount of goods allocated for each country or to each importer is not normally published.

(b) The size of the quotas is generally determined on a yearly basis.

(c) No.

A system of control is administered by the Ministry whereby the duplicate copies of import licences issued are posted with the amounts and quantities of imports made during the course of the year.

(d) No.

The names of importers are not normally made known to Government or exporting agencies but if for any reason this is required, there is no law prohibiting it.

(d) Usually one calendar month.

(e) Minimum is one month. But usually all licences submitted within the specified period in the notice are issued against 31 December of the preceding year.

(f) Between a fortnight and a month.

(g) Consideration of licence applications is effected only by a single administrative organ i.e. Ministry of Trade and Industry.
(h) There is no hard and fast rule, but usually, allocation to applicants is made on past performance.

(i) Yes. Licences are issued automatically.

(j) This country has never had such experience, but I would imagine if the situation warrants it then the two countries concerned would have to come to a common understanding.

(k) No.

7. Usually within a month in advance of importation. Licence could be obtained within a shorter time-limit for goods arriving at a port without a licence due to inadvertency but proof of such inadvertency must be proved beyond all reasonable doubt.

(b) Seldom.

(c) There are no limitations.

(d) Yes. See my reply to 6(g) above.

8. Under normal circumstances an application for a licence may not be refused other than for failure to meet the ordinary criteria.

If they so desire reasons may be given. They may appeal to the Ministry of Trade and Industry.

Eligibility of importers to apply for licence

9. (a) Everybody is eligible to apply for licence under a non-restrictive system.

(b) There is no system of registration of persons or firms permitted to engage in importation and no registration fee is charged by this Ministry.

Documentational and other requirements for application of licence

10. Some of the information required in an application form include name and address of importer, classification of goods, country of origin, quantity or value required etc.

11. If the reference is to shipping documents, the principles adopted above are in accordance with ICC regulations.

12. No fee is charged for a licence.

13. No.
14. **Conditions of licensing**

   The normal period of validity of a licence is twelve months or one year but whenever goods imported on a previous licence arrive on the following year prior to the issuing of a new licence, the period of licence may be extended to accommodate the shipment.

15. No.

16. No.

17. No.

**Other procedural requirements**

18. No.

19. Yes.

   This is not a normal practice but if and when conditions dictate that some exchange control restriction should be enforced then importers are advised accordingly.