GENERAL AGREEMENT ON TARIFFS AND TRADE

Committee on Trade in Industrial Products
Group 4 - Licensing

REPLIES TO THE QUESTIONNAIRE ON LICENSING

Addendum

AUSTRIA

1. For the importation of products subject to quantitative restrictions import licences are required. The following procedure is applied to the issue of such import licences for those countries, vis-à-vis which Austria has to apply the provisions of the General Agreement on Tariffs and Trade.

2. Import licences are required for the products, listed in document L/3212/Add.5/Rev.1. To products of the cotton textile sector the provisions of the Long-Term Arrangement Regarding International Trade in Cotton Textiles are applicable. For the importation of products falling under the provisions of the Monopoly Laws, import licences of the Monopoly Administration (Federal Ministry of Finance) are required (see document L/1949/Add.21). Furthermore, the importation of coffee into Austria has to be carried out according to the provisions of the International Coffee Agreement 1968, of which Austria is a member as importing country.

3. See above.

4. The reasons for the maintenance of import restrictions have been given in detail during the discussions of the Joint Working Party on Import Restrictions (see document L/3391/Rev.1).

5. The import licensing procedure is based on the provisions of the Foreign Trade Law (Federal Gazette No. 314/1968).

   In this law, which can be amended only by the legislative bodies, the products, which are subject to import licences, are listed.

6. (a) The overall amount of existing quotas is not published.

   (b) Bilateral quotas are usually determined on a yearly basis.

   (c) Licences can be applied for both by domestic producers of similar goods and by traders or trading firms. The possibility of prolongation does exist. It is not foreseen to inform governmental bodies of exporting countries of the names of importers to whom licences have been allocated.
(d) Applications for licences can be submitted at any time.

(e) Applications for licences have to be processed within three weeks; usually such applications are processed within a period of less than one week.

(f) Import licences are valid from the date of issue; the period of validity is six months as a rule.

(g) Applications for licences are in principle considered by an administrative organ. Imports exceeding S 200,000 are submitted to the Foreign Trade Advisory Board (consultative function).

(h) If a demand for a licence cannot be fully satisfied, the allocation is made taking into consideration the imports of the applicant during the last period of reference. For now importers a reserve quota is kept open. Applications are examined immediately after receipt.

(i) Not applicable for Austria

(j) Not applicable for Austria

7. See item 1.

8. The reasons for possible refusal of an application for a licence follow from the reply under item 4. The reasons for a refusal are given in writing. An appeal to the Supreme Court of Administration is possible.

9. In principle, eligibility of importers to apply for licence is not limited. The question, whether the importer holds a valid trading licence, is usually not examined.

10. Besides the filled in form (official form) a pro-forma invoice in duplicate is required.

11. Upon actual importation all documents have to be presented, which are required according to the customs procedure for the clearance of goods.

12. In Austria for all submissions to the administration a stamp duty has to be paid. For applications for licence a duty is foreseen, the amount of which ranges from S 15 to S 48 according to the import value.

13. Deposits or advance payments are not required.

14. The period of validity of a licence is six months as a rule. This period can be extended by three months.
15. The non-utilization of a licence has no legal disadvantage.

16. Licences are not transferable between importers.

17. In certain cases the issue of a licence is attached to the presentation of a certificate of origin.


19. There is no limitation in foreign exchange.