REPLIES TO QUESTIONNAIRE ON LICENSING

Addendum

NEW ZEALAND

Outline of system

1. See BOP/112.

Purpose and coverage of licensing

2. See Licensing Schedule supplied with BOP/112.

3. All countries except as set out in Parts III and IV of Appendix I, page 72 of the 1971/72 Licensing Schedule. See BOP/112.

4. Value.

It is Government's policy to replace import licensing by tariffs as the main measure of protection. The Government has now decided to institute a major review designed to accomplish this objective within five years but recognizes that in some instances it will be necessary to retain import licensing. The review will be carried out in terms of the Government's policy and the recommendations of the N.D.C. See also BOP/112.

5. See BOP/112.

Procedures

6. (a) (1) Import Licensing Schedule.

(2) Overall amount is not published.

(3) Import licences are issued on a global basis and are not restricted to imports from a particular country.

(4) The maximum amount allocated to each importer is not published.

(b) Quotas are determined on a yearly basis and licences are issued for imports on this basis.

(c) (1) No.
(2) None.
(3) No.
(4) No.
(5) Confidential between importer and Customs Department.

d) No set period. In the main, basic allocations are issued automatically by the Customs Department upon the release of the Import Licensing Schedule without applications being required from importers.

e) Basic licences are generally issued prior to the commencement of the licensing period. However, in some cases where allocations are based on imports and importers are required to submit applications supported by evidence of imports, licences may be issued after the commencement of the period. Importers in such cases may lodge their applications at any time before or during the period.

(g) (1) No.
(2) In some cases, yes.
(3) Industries and Commerce Department, Agriculture Department, Ministry of Defence, Health Department where applicable. However, the Customs Department is the final - indeed the only - authority and the responsibility for all licence issue rests with this Department. See BOP/112.
(4) No, only if he so desires.

(h) In many instances there is provision for the issue of licences in excess of the basic allocation on the basis of essentiality, need, non-availability from domestic sources and having regard to the available funds. Such cases are considered individually. See BOP/112 and Import Licensing Schedule.

New importers were able to gain entitlements in a wide range of items in the 1970/71 licensing period. The 1971/72 Schedule gives opportunity for new importers who qualify to obtain token licences. Applications for new importers are required to be lodged by a certain date and are examined simultaneously.

(i) (1) Yes.
(2) No.

(j) New Zealand is a signatory to the International Coffee Agreement and a Coffee Certificate issued by the country of export is required to be lodged before imports of coffee are allowed into New Zealand.
(k) Yes - goods imported on a temporary basis. It is a condition of such permit that the goods will be exported within the period specified in the "Conditions" section of the permit and will not, in any circumstances, be sold or otherwise disposed of in New Zealand.

7. (a) When there is no quantitative limit on a product or on imports from a particular country the goods would be exempt from the requirements of a licence. Licences are not required for exempt goods.

(b), (c), (d) Not applicable.

8. (a) An application for a licence may be refused (other than failure to meet the ordinary criteria) where policy relating to the goods in question does not permit the issue of a licence, or additional licence.

(b) Reasons for refusal are always given to applicants.

(c) Applicants have a right of appeal in event of refusal to issue a licence. If the application has been declined at port level he may appeal to Customs Head Office. If applicant is still not satisfied he may appeal to the Minister of Customs, and/or the ombudsman.

Eligibility of importers to apply for licence

9. (a) Yes - any New Zealand domiciled firm, person or organization may apply.

(b) Yes.

There is no system of registration - balance of paragraph does not, therefore, apply.

Documentational and other requirements for application of licence

10. (a) See Information Section of Licensing Schedule - section headed "Supporting Information".

(b) Sample application form attached.¹

(c) As in (a) above. See also section headed - "Applications for Basic Licences Based on Previous Imports" in Information Section of Licensing Schedule.

11. In so far as import licensing is concerned only the actual licence.

12. There is no licensing fee or administrative charge.

13. There is no deposit or advance payment requirement associated with the issue of licences.

¹ This sample application, which is not reproduced in this document, may be consulted in the secretariat.
Conditions of licensing

14. (a) See BOP/112.

(b) Yes.

(c) On application. In certain special circumstances the validity of a licence may be extended to the following period. For example the uncertainty of some shipping movements can present a problem towards the end of the licensing period, i.e. vessels scheduled to arrive on or before 30 June may be delayed for a number of reasons. Each year the Customs Department publishes a list of those vessels which are regarded as "qualifying" for the particular licensing period even though they may subsequently be delayed and arrive after 1 July. A list of "non-qualifying" vessels is published concurrently. Where a "qualifying" vessel arrives after 30 June the validity of the current licence would be extended to allow the importation concerned.

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

16. Licences are not transferable between importers.

17. (a) The actual licence has printed conditions as follows: (See attached form.)

In addition other conditions may be typed on the licence, viz: agricultural requirements, health requirements, or certain conditions relating to the goods themselves. Where a licence is issued to an importer to import goods for supply to a particular client such a note may appear on the licence.

(b) Not applicable.

Other procedural requirements

18. See BOP/112. Issue of import licence does not absolve the importer from the requirements of any other regulation, e.g. Stock Act, Food and Drugs Act, Arms Act, etc.

19. (a) Only if goods to be imported are exempt goods. (See (d) below also.)

(b) Yes - except for exempt goods.

(c) Yes.

(d) When an import licence is granted a "Bank Copy" is also forwarded to the importer. The importer hands the "Bank Copy" to his Trading Bank. The Trading Banks are authorized by the Reserve Bank of New Zealand to make payment overseas for commercial imports against a valid import licence.

1/This form which is not reproduced in this document, may be consulted in the secretariat.