1. Since 6 February 1948 imports of foreign goods have been subject to a system of "prior registration"; the system was confirmed by Legislative Decree No. 44 698 of 17 November 1962, and subsequently amended on some points by Legislative Decrees No. 47 917 of 8 September 1967; No. 49 306 of 16 October 1969; and more recently by Legislative Decree No. 183/70 of 28 April 1970.

The prior registration system is also applied to exports, for statistical purposes and in order to provide the authorities with full information concerning the country's availabilities and commitments in the short, medium and long term.

In the few cases of goods which are not liberalized for import from GATT countries, prior registration corresponds at the same time to an import licence, thus avoiding the need for an additional licence form (as was required before February 1948).

Purposes and coverage of the licences

2. The "prior registration" system for foreign trade transactions - imports, exports and re-exports - applies to all products. The only exceptions from this rule are transactions of a value not exceeding Esc 2,500, save in a few cases justified by specific reasons.

In fact there are not numerous systems, because the authorities try to simplify as much as possible the formalities with which traders have to comply.

In all cases where special formalities are imposed because of specific requirements of domestic legislation - for example, considerations of public health, national defence, quality standards, public morality, trading qualification etc., - the prior registration certificate in fact constitutes a very simple means of carrying out these formalities.
3. The prior registration system applies to foreign trade operations - imports and exports - with all countries, whether or not contracting parties to the General Agreement.

4. As stated above, this prior registration system is essentially of a statistical nature and is at the same time designed to afford information concerning the balance-of-payments situation so that any necessary adjustments in monetary and credit policies can be made more easily, while avoiding disequilibria that might affect foreign trade flows.

   It is on the basis of the certificate of prior registration that the importer acquires, or the exporter sells, foreign bills of exchange in respect of foreign trade transactions.

In addition prior registration facilitates or replaces compliance with other rules - for example, legal qualification to trade, certification of the quality of goods, in particular in export transactions, etc.

It is thus only marginally and at the present time in relatively few cases that prior registration operates as licensing and can have restrictive effects on imports of goods which have not yet been liberalized.

Procedures

6. (a) Information concerning any quotas and the time-limit for filing applications is always brought to the attention of those concerned through associations of traders and manufacturers, by notices published in the official and daily press.

   Sometimes, when the annual quotas to be allocated are fairly large and exceed normal commercial demand, they are allocated as and when applications are received.

   In other cases the quotas are only of an indicative nature and are generally exceeded in practice.

   (b) There are no rigid rules. Quotas are on an annual basis. Registration certificates are valid for a period of up to 180 days, which may be extended where justified. Consequently, quotas are normally allocated made on a six-monthly basis, in certain cases on an annual basis.

   (c) Normally, the certificates are issued to traders. Where a producer imports for his own account, the goods concerned are generally articles with specific characteristics that do not correspond to his own production range, and importation is then authorized outside the quota.

   Strict control is exercised over the use of certificates issued under quotas, as well as exchange control. The customs authorities notify customs clearance of goods actually imported and on the basis of that notification the commercial banks advise the Central Bank of the corresponding exchange operations.
The amounts corresponding to unused certificates can, after the end of their period of validity, be added to quotas for succeeding periods.

In the past and in respect of certain countries, the departments concerned in exporting countries were informed of import certificates issued under quota. Such communications have gradually ceased to be of interest, however, as quotas have been liberalized and with the progressive transformation of bilateral quotas into global quotas.

Nevertheless, the Portuguese authorities have no objection to answering any enquiries addressed to them in this connexion.

(d) As a general rule, a period of sixty days is allowed for the submission of applications.

(e) Allocation generally takes place in two or three weeks. Applicants are informed of the results, and they have the possibility of appealing and a time-limit for doing so.

(f) Once the allocation has been approved - and after any appeals have been settled - the certificates are delivered immediately and can be used forthwith.

(g) There is one single responsible authority which in turn can request information from other departments; such information is furnished rapidly.

(h) In most cases, the small number of quotas still existing are sufficient to meet all applications; the latter are considered on a first-come-first-served basis. Where it is not possible to grant all applications, the allocation is made on the basis of imports during preceding periods. In order to ensure free competition, shares are apportioned to new importers or exporters who meet the established legal requirements.

(i) In the case of export restraint arrangements, the export registration certificate is accompanied by a declaration for the customs authorities of the importing country.

(j) No such cases recorded.

(k) None.

7. (a) For liberalized imports - and this applies to most goods - the prior registration certificate is normally obtained within two days, and sometimes on the day of application. In cases of recognized urgency, it can be obtained immediately.

(b) See reply to 7(a).

(c) There are no limited periods for presentation of applications.
(d) The importer applies to one administrative organ. Any additional information which may be necessary for examining applications is requested through the most rapid channels by the body responsible for prior registration.

8. The reasons for any refusal of an application for prior registration are communicated to the parties concerned. If those reasons are found not to have been valid, then the applications are granted subsequently. In the event of a refusal, there is a right of appeal through appropriate channels.

Eligibility of importers to apply for licences

9. (a) and (b) Any person, firm or institution may apply for prior registration (registration certificate).

A register of importers and exporters is kept, at no charge to them, in order to simplify supervision of the conditions normally required for engaging in commercial activities (evidence of payment of taxes on business activities, personal qualifications, etc.).

There are lists of importers, but only for some sectors of activity. Additional lists can be drawn up at any time.

Documentary and other requirements for licence applications

10. As a general rule, it is sufficient to fill in and present the import registration certificate, which is a standard form containing a few basic particulars.

11. At the time of actual importation (customs clearance), various documents are required according to the nature of the goods concerned or according to the requirements under tariff régimes or international agreements - for example, endorsed invoices, certificates of origin, plant health certificates, etc.

12. Prior registration is free of charge to the importer or exporter. The forms are issued free.

13. No.

Conditions of licensing

14. Registration certificates can be valid for a period of up to 180 days which may be extended for a like period if due justification is presented to that effect.

15. No.

16. Not in principle. In duly justified cases, and provided there is no change in the holder of the registration certificate, customs clearance or payment thereof can be effected by another party.
17. No.

**Other procedural requirements**

18. No.

19. In order to obtain foreign exchange, the prior registration formality must be complied with and the corresponding certificate must be presented to a commercial bank.

In the case of imports of an exceptionally high value, issue of the prior registration certificate is subject to approval by the Minister of Finance; his approval is also required in respect of imports which are the subject of long-term credits with payments spread over several years.