Committee on Trade in Industrial Products

Group 4 - Licensing

REPLIES TO THE QUESTIONNAIRE ON LICENSING

Addendum

IRELAND

1. Quota licensing

Annual total import quotas are prescribed for a limited number of industrial products. These quotas are generally global with the following exceptions - cycle tyres from non-OECD countries and Japan, superphosphates from countries other than Great Britain and certain textile goods from low cost countries. Licensing is to registered importers only. When the total of any particular quota is exhausted, licences may be granted usually in respect of types within the product range covered by the quota but for which suitable substitutes are not available from home manufacturers. These quotas are scheduled for enlargement in accordance with a prescribed programme.

2 and 3 Quota

Silk or artificial silk hose of a value not exceeding £2.50 per dozen pairs (Quota No. 12)

Superphosphates (Quota No. 50)

Tyres and tubes for bicycles and tricycles (mechanically propelled or otherwise) (Quota No. 2)

Textile goods comprising certain yarns and made-up articles (Quota No. 51)

Textile goods comprising certain piece-goods (Quota No. 52)

Brushes without limit as to value (Quota No. 28)

Brushes of a value of less than £1.50 per dozen (Quota No. 53)

Electric filament lamps not less than 100 volts nor more than 250 volts and consuming not more than 1,500 watts (Quota No. 31)

Sparking plugs (Quota No. 35)

Laminated springs (Quota No. 36)

Against goods originating in

Global

All countries except the United Kingdom

Non-OECD countries and Japan

Bulgaria, China (Nationalist)

Czechoslovakia, East Germany, Hong Kong, Hungary, India, Japan, Macao, Malaysia, Pakistan, People's Republic of China, Poland, Romania, USSR and Yugoslavia

Global

Global

Global

Global
4. Quota restrictions and licensing are intended to restrict imports by quantity in most cases and value in some cases. The present methods are considered to be the most suitable.

5. Control of Imports Acts 1934 to 1964 under quota orders numbered as set out above. Licensing is required except in the case of Quota No. 51. Designation of products to be subjected to quota restrictions is by Government Order and each annual quota order is renewed where appropriate by Government Order. The quotas cease to exist at the end of each period (normally annually) unless a renewal order is made by the Government at least one month before the end of the period. Legislative approval would not be required before the present system could be abolished.

Procedures

6(a) Information as to the making of annual quota orders is published in the "Iris Oifigiúil", the Official Gazette, and in the national daily newspapers. Copies of the orders are also circulated to embassies, trade delegations, legations, consulates etc., regional Chambers of Commerce in Ireland and the Confederation of Irish Industries. Copies are also sent to the national and university libraries. The overall amount of each quota is published. The quotas are not allocated by country. The amounts allocated to individual importers are not published.

(b) Quotas are usually determined on an annual basis and licences issued annually. Supplementary quota licences are valid from date of issue up to the end of the quota period.

(c) In some cases licences are issued partly to domestic producers of like goods. Because several large importers continually seek additions to their quota allocations and often get advances on the following years allocation towards the end of a quota period it is not considered necessary to examine the usage of licences. Unused allocations are not added in a succeeding period. The names of registered importers to whom quota licences are granted are regarded as confidential and not supplied to parties outside the Department of Industry and Commerce.

Quotas 12, 31, 35 and 36

Licences are issued only to registered wholesalers of the commodities covered by the quotas who purchase from Irish manufacturers in wholesale quantities.

Quota 2

This quota is not split up but licensed to applicants early in the quota period and supplementary licences are subsequently issued freely.

Quota No. 50

Licences to Irish manufacturers only.
Quota No. 51
Licences are not issued and any person, group or company may import while there is a balance on the quota.

Quota No. 52
Partly to domestic importing agents and partly to manufacturers of textile goods.

Quota Nos. 28 and 53
Licences covering 75 per cent of the quota are issued to registered wholesalers of brushes who purchase from manufacturers in wholesale quantities and the remaining 25 per cent is allocated to the Irish manufacturers of brushes.

(d) Application forms are sent to registered importers on 1st of the month prior to the beginning of the quota period and should be returned by 16th of that month. Late applications are, however, allowed concessionally on submission of valid reasons for the delay.

(e) Licences against the applications at (d) above are normally issued on the 1st day of the quota period i.e. two weeks after the closing date for applications.

(f) Quota licence applications are considered by a single administrative organ. Importers are required to approach only one such organ.

(h) In the case of quota No. 12 licences are issued in proportion to purchases of like goods from domestic manufacturers.

Quota No. 2
This is a nominal quota only (very small quantity) but supplementary quota licences are issued on request for all motorcycle tyres and tubes and several sizes of cycle and tricycle tyres and tubes not manufactured in this country. These licences are additional to the basic quota.

Quota No. 50
Licences are issued only to the four Irish manufacturers and as the quota was not enlarged in recent years the allocations are therefore constant.

Quota No. 51
This quota is administered by the Revenue Commissioners on a "first come first served basis" and not administered by licence. The balance diminishes in accordance with customs entries and the customs officers are advised when the quota is exhausted.
Quota Nos. 52, 28, 53, 31, 35 and 36

Licences are issued in proportion to purchases from Irish manufacturers in an agreed base year. Supplementary quota licences and duty-free licences are granted freely in respect of certain types of fabrics, brushes, lamps, plugs and springs in which home production is not adequate.

Except in the case of superphosphates (Quota No. 50) there is no maximum amount to be allocated per applicant. In the case of Quota Nos. 12, 28, 53, 31, 35 and 36 the quantity to be allocated under quota increases each year in accordance with a fixed schedule for enlargement and eventual abolition of the quota restrictions. In the case of Quotas 12, 52, 28, 53, 31, 35 and 36 new applicants are facilitated when they have completed a minimum period of trading, normally six months. There are no registered importers for Quotas 2 and 51 and all applicants receive similar treatment. New importers do not arise in the case of Quota No. 50.

Applications for basic licence allocations under Quota No. 12 are dealt with simultaneously; the same procedure applies to Quota Nos. 52, 28, 53, 31, 35 and 36. Applications under Quota No. 2 are dealt with on receipt. Basic licence applications do not arise under Quota Nos. 50 and 51. Applications for supplementary licences are dealt with on receipt.

(i) All quotas are global or as set out above in specific cases and no separate bilateral quotas or export restraint arrangements are in operation.

(j) This does not arise.

(k) Licences to import goods free of duty for further processing and subsequent re-export are granted for industrial raw materials and such licences exempt the goods from quota restrictions where applicable.

7. Where there are no quantitative restrictions on importation of a product or on imports from a particular country no licensing is necessary.

8. Licences are not refused in cases where the ordinary criteria are satisfied.

Eligibility of importers to apply for licence

9(a) Eligibility to apply for licences is limited as explained in detail under headings of various quotas above.

(b) There are no non-restrictive systems in operation.

There is a system of registration of persons or firms permitted to engage in importation under quotas except in the cases of Quota Nos. 2, 50 and 51 where such a system is not necessary. The persons or firms eligible for registration are normally those dealing in the particular commodity or purchasing quantities of the commodity from domestic producers. There is no fee for registration. Lists of authorized importers are not published.
Documentational and other requirements for licence applications

10. As per attached form Q9. Other documents are sometimes necessary e.g. certificate of purchases from Irish manufacturers, copy invoices and certificates of origin.

11. Apart from the general documentation required to be furnished in connexion with the importation of any goods the only additional document required by the customs is the import licence covering the goods.

12. There is no licensing fee or administrative charge.

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

Conditions of licensing

14. Normally twelve months - no extension of period; (six months quotas have been appointed for particular commodities previously).

15. There is no penalty for non-utilization of licences.

16. No. Licences are not transferable between importers as a general rule but might be allowed in exceptional circumstances on authorization by the original licensees.

17. Theoretically exhausted licences must be returned to the Department of Industry and Commerce when the quantity specified is imported or at the end of the quota period, whichever is the earlier, but it is administratively difficult to insist on compliance with this rule. A quota licence must be exhausted before an application from the holder for a supplementary quota licence in the case of Quota No. 52.

Other administrative procedures

18. Other administrative procedures apart from import licensing and similar administrative procedures are not required prior to importation.

19. Ireland is a member of the Sterling Area and payments to and from other parts of that Area may be made freely in any Sterling Area currency. The prior permission of the Central Bank is required before orders may be placed for goods originating outside the Sterling Area, if they are not to be used in Ireland or are to be delivered more than nine months after the date of the order. For permitted imports, appropriate foreign exchange is granted automatically.

1Not reproduced here.
A licence is not required as a condition for obtaining foreign exchange and no limit is placed on the availability of foreign exchange for the purposes of making payments for imports.

Authority to effect necessary payments has been delegated to the commercial banks. As regards formalities to be observed where payment is being made to countries outside the Sterling Area, the position is that if the total value of the goods does not exceed £2,000 a bank will require only evidence of the value of the goods. Where the total value of the goods exceeds £2,000 a bank will require a routine exchange control form to be completed.

In practice, quota licensing is liberally operated in the case of goods for which no reasonable substitute is made in this country.