REPLIES TO THE QUESTIONNAIRE ON LICENSING

MADAGASCAR

1. Licensing is in force in Madagascar.

2. The products covered are all the products imported from abroad.

3. From all countries.

4. The purpose of the licensing system is to regulate the entry of all goods from abroad, for statistical purposes and in order to exercise closer supervision of imports with a view to protecting domestic industry.

5. - Yes.
   - It applies to all products from abroad.
   - Yes, because the Government can legislate by administrative order.

6. (a) The overall import programme is published in the Official Gazette and is sub-divided on the basis of the headings of the Customs Tariff. They supply those with which Madagascar has broken off diplomatic relations.

   (b) (1) Period covered by quotas: calendar year.
       (2) Period of validity of licences: shipment within six months.
       (3) A fresh application is required in cases where the goods have not yet been shipped and the credit has already been used.

   (c) (1) Licences are allocated to approved importers, both nationals and non-nationals.
       (2) Steps taken to ensure that licences are actually used: entry clearance declaration must be made (customs).
       (3) The unused balance of an allocation is returned to the department which issued it.

   (d) Applications can be submitted as soon as the quotas are opened.

   (e) Licences are delivered forty-eight hours after the application has been submitted.
(f) The period of importation is opened as soon as the licence has been granted.

(g) Applications are considered by a single administrative organ, namely, the Ministry of the Economy and of Trade, which consults the appropriate department on specific products.

(h) (1) Requests for licences are met to the extent that they comply with the published programme and are in accordance with the prescribed import quota.

(2) Within the limits of the quota.

(3) The list of approved importers has not been closed.

(4) Applications are examined on receipt.

(i) Licences are required for all imports, regardless of origin or of the purpose for which they are needed.

(k) Products for re-export are admitted into the country under the temporary admission régime and do not require import licences.

7. (a) Application for licences must be made prior to every importation.

(b) Application for licences must be made during the quota period.

(d) See 6(g).

8. No.

9. Only approved importers may apply for licences. In order to be approved:

(1) their status vis-à-vis the tax authorities of Madagascar, as regards both direct and indirect taxation, must be in order.

(2) they must belong to one of the following categories:

- State enterprises and companies whose activities are in the national interest.
- Industrial, agricultural or mining companies and groups of craftsmen.
- Groups of national importers.
- Companies specializing in the importation of certain products, etc.

- System of registration: there is a register of such firms.

- There is no registration fee.

10. Information required in applications:

- name and address of each of the parties
- the country of origin and of consignment of the goods
- nature of the goods
- quantity of goods
- unit price and total price of the goods in the currency of the country and their equivalent in Malagasy francs
- delivery time
- type of contract (FOB, CIF, CR)
- place from which dispatched.
- payment modalities
- name and description of the person signing

Documents to be attached: proforma invoices.

11. Documents required upon actual importation: definitive invoices stamped by the Customs, attached to the entry clearance document.

12. No licensing fee.

13. No deposit or advance payment requirement.

14. The period of validity of a licence is six months for shipment; it can be extended in duly justified cases.

15. In case of non-utilization, the licence is automatically cancelled and the corresponding quota reverts to the department which allocated it.

16. Licences are not transferable.

17. (a) No.

18. No.