The following notification has been received from the delegation of Romania in response to the questionnaire on Import Licensing procedures annexed to document L/5106.

Outline of systems

1. Romania has only one licensing system.

Purpose and coverage of the licensing

2. The existing uniform system is applied to all imported products.

3. All countries.

4. Import licences may fall under one of the following categories:
   - Licences issued for the purpose of following the implementation of the foreign trade plan;
   - Licences issued for the administration of eventual restrictions, which could be enforced in accordance with the legal provisions in force or the international agreements accepted by the Socialist Republic of Romania. At present, Romania does not apply any quotas. The Ministry of Foreign Trade may introduce restrictions or forbid the import of some goods with a view to equilibrating the balance of foreign payments, in conformity with GATT provisions. Moreover, following the proposal of the central bodies concerned, the Ministry of Foreign Trade may introduce restrictions or forbid the import of some goods with a view to protecting public health, national defence and State security.

5. Law No. 1 on foreign trade and economic and technico-scientific co-operation activities of the Socialist Republic of Romania published in the Official Bulletin of the Socialist Republic of Romania, No. 33, on 17 March 1971 and Order No. 34 of the Minister of Foreign Trade, of 23 May 1980. This Order was printed in the
Procedures

6. (a-k) There is no such procedure (see reply No. 4).

7. (a) There is no time-limit. Yes.
   (b) Yes.
   (c) There is no limitation regarding the time of the year when a licence may be applied for. Imports should be effected within the validity of the import licence having in view that, as a rule, this is of minimum three months and not later than the end of the calendar year in which the licence was issued. Licences not used within the period of validity for which they were issued, will be considered cancelled unless an extension was obtained during their initial period of validity. Exception is made for framework licences, for imports spreading out over a period of several years, and licences expiring on 31 December of the year in which they were issued, in case the products delivered under contract and forwarded in accordance with the contract provisions are on the way. In the latter situation, the validity of the licence is automatically extended up to ninety days maximum.
   (d) There are no other administrative bodies except the Ministry of Foreign Trade, the only authorized body in this matter.

8. The Ministry of Foreign Trade may refuse a licence to an applicant or cancel licences for imports from countries maintaining or applying discriminatory quantitative restrictions on imports of Romanian goods or in case of the events of exceptional importance, and of natural calamities. The Ministry of Foreign Trade may, also, change, suspend or cancel licences, partially or totally, in case they did not result in the conclusion of any external contracts or in case of cancellations of the contracts concluded. No application for a licence shall be refused for minor documentation errors, which do not alter the basic data contained therein. The importers whose licence applications were refused can submit well-founded appeals within fifteen days from the date of receiving of a notification to that effect. The appeals will be considered by the leadership of the Ministry of Foreign Trade.

Eligibility of importers to apply for licence

9. The import licences may be issued to importers authorized, in accordance with the legal provisions in force, to carry on foreign trade activities (specialized in foreign trade and international economic co-operation companies and departments, joint venture companies, etc.). They have the
right to apply for import licences which are uniform for all imports.
The list of authorized importers is published in the Official Bulletin of the
Socialist Republic of Romania and the Foreign Trade Guide published by the
Chamber of Commerce and Industry of the Socialist Republic of Romania.

Documentational and other requirements for application of licence

10. Licence applications are filled in on printed forms containing the
    following data:
    - name of importer, date and number under which the application was
      registered with the respective foreign trade company;
    - country of origin and country of payment of the import transaction,
      buying company;
    - tariff heading number, description of goods, quantity value, spacing
      out of deliveries;
    - type of licence requested;
    - requested period of validity for the import licence;
    - certification of data contained in the application for import licence;
    - other mentions considered necessary.

    The applications for import licences are signed by the managing
    director of the Foreign Trade Organization or by his deputy, and by the head
    of the department or section, after which they are registered with the
    respective organization and are submitted to the Ministry of Foreign Trade
    where they receive a registration number.

11. As regards the import authorization only the import licence is
    necessary.

12. There are neither licensing fees nor administrative charges.

13. No.

Conditions of Licensing

14. As a rule, import licences are valid for at least three months and
    not later than the end of the calendar year, in which the licence was
    issued.
Licences not used within their period of validity will be considered cancelled unless an extension was obtained during their initial period of validity. Exception is made for framework licences, issued for imports spreading out over a period of several years and licences expiring on 31 December of the year in which they were issued, in case the products delivered under contract and forwarded in accordance with the contract provisions are on the way. In the latter situation, the validity of the licence is automatically extended up to ninety days maximum.

15. No.

16. No.

17. (a) Without object.

(b) The import of goods above the plan provisions is subject to prior approval.

Other procedural requirements

18. The issue of a licence does not exempt the applicant from complying with the other legal provisions in force as regards the importation of goods (e.g. fulfilment of customs formalities, etc.).

19. (a) Yes.

(b) The import licence is required as a condition to obtaining the foreign exchange.

(c) Yes. Depending on the amount of foreign exchange resulting from the exportation of Romanian goods or from invisible trade.

(d) Only import licences.