Information on import licensing procedures of Turkey, submitted in response to the questionnaire annexed to document L/5106, has been made available to contracting parties in document COM.IND/W755-COM.AG/W772/Add.24/Rev.1. The following notification, describing the present import licensing system, replaces the data previously submitted by Turkey.

Outline of systems

1. Import licences are required for all imports into Turkey. Private individuals and corporate bodies are required to secure an "importer's certificate" before submitting applications for licences to import goods.

Imports are effected on the basis of annual programmes. Each annual programme is prepared by the Ministry of Commerce, upon consultation with the Ministry of Finance, other interested Ministries, the Central Bank, and other organizations such as the State Planning Organization, Union of Chambers of Commerce and Industry.

Import programmes classify imports into two categories:

(a) a list of liberalized goods which is divided into two parts (lists I and II) for which import licences are issued automatically, with no quantitative restrictions;

(b) bilateral quota lists annexed to bilateral payment agreements.

Goods listed in the first category can, in principle, only be imported from countries other than those with which Turkey maintains bilateral payments agreements. All goods not included in the liberalized lists I and II cannot be imported under the bilateral quotas.

Bilateral quota imports from bilateral payments agreement countries are made in accordance with the amounts specified in the lists annexed to these agreements.

There are no quantitative restrictions in the above-mentioned categories of imports other than bilateral quotas. The rest depends on demand and the prevailing conditions of economic activity.
Purposes and coverage of the licensing

2. (a) There are no limits as to either value or quantity of goods imported under liberalized lists. Import licences are issued automatically and applications for import licences for goods on the liberalized list may be submitted at any time to authorized banks, which transfer them to the Central Bank for the issuing of import licences. However, for goods to be imported under list II, prior approval of the appropriate government department is required for quality and health control purposes.

(b) Separate quotas are set up for imports from bilateral payments agreement countries. The import licensing procedure for goods from these countries is the same as under the liberalized lists.

3. The system is applied without discrimination as to the source of imports. Imports from bilateral payments agreement countries are subject to a special system.

4. The authorization certificates required for imports under liberalization list No. II are designed to ensure the requirements of human and plant health and to secure quality control. These licences are automatic.

5. Under Articles 1 and 7 of Law No. 3614 and Articles 19 and 20 of Law No. 1615, the Council of Ministers is empowered to take all necessary measures in respect of the import procedures.

Under the decree on the import system, the Council of Ministers has delegated its authority to the Ministry of Commerce.

Thus, the Ministry of Commerce is empowered to adopt and implement import procedures, in consultation with other relevant Ministries and public bodies, taking into account the country's foreign exchange availabilities and its needs and requirements.

Procedures

6. (a), (b), (c), (d), (e), (f), (g), (h).

Not applicable.

The quota system was removed on January 1981.

(i) Import licences are also required for imports under bilateral payments agreements. They are issued in accordance with the bilateral accounts situation, trends in bilateral trade and national needs and requirements.
(j) In the allocation of import licences, the export permit issued by the exporting country is not taken into account.

(k) Raw materials, auxiliary materials, equipment and packaging materials imported by exporters of manufactured goods exclusively to meet their export requirements, and under special licence, cannot be sold in the domestic market.

7. The products that are not subject to quantitative limitations are indicated in the liberalization lists. Their imports are subject to the procedures indicated in paragraph 2(a).

8. At present, a licence application may be refused if the prices are considered excessive with respect to comparable world market prices.

The following criteria might also be taken into consideration:

(a) foreign exchange availabilities;
(b) national requirements, particularly existing stocks;
(c) compatibility between the price and the characteristics of the imported products;
(d) period for effecting importation and placing the product on the domestic market;
(e) agreement of sale prices of products offered in the domestic market.

Eligibility of importers to apply for licence

9. Applications for a licence can be made only by individuals or corporate bodies holding an importer's certificate.

Documentational and other requirements for application of licence

10. Applications must be submitted by filling out an application form to which must be attached a specification document and a pro forma invoice for verification of prices.

11. The documents required upon actual importation are the following:

(a) import licence;
(b) invoice;
(c) bill of lading;
(d) insurance policy;
(e) customs declaration (import).

12. No.

13. Yes. The deposit required on imports under liberalization lists is at the following rates:

- 20 per cent for importers
- 10 per cent for industrialists (for their own usage).

For fertilizers, and for their raw materials, breeding animal products and certain products on liberalized list II, the rate is 1 per cent.

The deposit is reimbursed in full to the importer once the importation has been realized.

The purpose of these deposits is to ensure that applications are well-founded and that the goods are imported within a reasonable period of time.

For every import demand, a duty receipt of 0.01 per cent must be paid.

**Conditions of Licensing**

14. The validity period of a licence is six months. In cases of force majeure, the period of a licence might be extended further for eight months.

15. In case of non-utilization of a licence, all or part of the deposit is credited to the accounts of the Treasury.

16. No.

17. No.

**Other procedural requirements**

18. No.

19. No. Applicants' need for foreign exchange is provided by the Central Bank through commercial banks to which the importer has applied for importation.