I. Legal and administrative basis of the restrictions

1. The statutory basis for import controls in Burma is the Control and Imports and Exports (Temporary) Act of 30 September 1947. In pursuance of this Act, imports are regulated by the Trade Control Order of 30 September 1947 as amended. The administration of import controls in Burma is the responsibility of the Directorate of Imports and Exports of the Ministry of Trade and Development which acts in consultation with a Trade Advisory Committee consisting of representatives of trade and industry.

2. Import licences are issued to qualified registered importers in accordance with the Registration (Importers and Exporters) Order of 4 August 1954, as amended by an order effective 1 June 1960 which provides for imports progressively to be effected through "Burmese national concerns" only, i.e. firms not having one or more foreign directors and/or foreign capital participation. Foreign firms are permitted, however, to continue to act as manufacturers representatives.

II. Methods used in restricting imports

3. Under the import control system, imports are classified under the following headings: (a) licence-free imports; (b) imports under Open General Licence; (c) imports subject to individual licensing; (d) imports by the Joint Venture Corporations; and (e) prohibited imports.

   (a) Licence-free imports

   The following imports are permitted without licences; imports by Government agencies and imports for the use of diplomats, commodities in transit by post, passenger baggage, bona fide samples and advertising materials supplied free of charge (up to a specified value), goods supplied free of charge as replacement for defective goods previously imported, goods imported through the post or by air or sea for the private and personal use of importers and goods imported in bond for re-export for use on board of an outgoing vessel or aircraft.

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1Text prepared by the secretariat, to be supplemented, and subject to verification and amendment, by the authorities of Burma.
(b) **Imports under Open General Licence**

Imports of products specified on an Open General Licence are admitted freely without an individual licence. Four Open General Licences are at present in force. Goods covered by them are listed in an Annex to this document.

(a) **Imports subject to individual licensing**

Licences for goods subject to individual licensing are issued from time to time by the Directorate of Imports and Exports in accordance with import requirements and overall exchange availabilities. These licences are valid for imports from any country and are usually granted for a period of six months from the date of issue. Individual import licences fall into two categories: trade import licences and industrial import licences.

(i) Trade import licences are issued to qualified registered firms on the recommendation of the Import Licensing Board. The relative share of individual importing firms in licensing allocations is determined by the Directorate of Imports and Exports on the basis of size and past performance of the firms and on the basis of other relevant considerations.

(ii) Industrial import licences are administered by the Directorate of Industry in conjunction with the Ministry of Industry.

Import licences for goods subject to individual import licensing are also granted under the Export Incentive Plan which came into force early in 1960. Under this Plan exporters are granted import licences to a value of 25 per cent of their foreign exchange earnings in a specified previous period.

(d) **Imports by the Joint Venture Corporations**

The importation into Burma of most foodstuffs and provisions, hardware and building materials and certain industrial equipment, as well as most textiles, is reserved for eleven Joint Venture Corporations (except for the items importable by the Civil Supplies Management Board; see Section V below). Bulk licences for the importation of the above-mentioned import categories are granted to these public limited liability corporations in which private investors and the State participate. While other importers are excluded from the import trade in commodities reserved for the Joint Venture Corporations there is a certain degree of competition between the Corporations themselves.

Joint Venture Corporations No. 4 and No. 7 are responsible for the importation of industrial equipment for general distribution throughout Burma. The other nine Joint Venture Corporations deal in textiles, foodstuffs, building materials and hardware. Four of these nine Corporations cover the requirements of specific outlying districts in Burma.
(e) **Prohibited imports**

The principal items on the prohibited import list are: narcotics, playing cards, gold bullion and, silver bullion and monkeys.

III. **Treatment of imports from different sources**

4. In principle there is no discrimination in the administration of the import restrictions. Dollar discrimination is involved, however, for the items covered by Open General Licence No. 3 and Open General Licence No. 4, which do not apply to dollar area imports. Also more favourable import treatment may at times be accorded in practice to imports from certain countries for the purpose of reducing outstanding on credit balance in cases where trade and payments with the country concerned are conducted on a bilateral basis.

5. Bilateral trade agreements and protocols providing for the sale of Burmese rice on a clearing account basis are in force with Czechoslovakia, Yugoslavia and the USSR. Burma also has a special barter arrangement with India for the disposal of certain commodities for which no other market is readily available. Under these arrangements special licences are issued for imports and their values are adjusted to the value of the goods especially listed. Efforts are made, however, further to reduce and eventually to eliminate reliance on barter transactions and bilateral agreements. Trade agreements of a commercial treaty type providing for cash settlements are in force with the following ten countries: Bulgaria, mainland China, the Federal Republic of Germany, Eastern Germany, Hungary, India, Japan, North Korea, Pakistan and Sweden. Most of these agreements contain indicative lists of exports from the parties to the agreement, but no provision for quotas.

IV. **Commodities or groups of commodities affected by the various forms of restrictions**

6. Permitted imports not covered by Open General Licences and not exempted from import control or reserved for the Joint Venture Corporations or the Civil Supplies Management Board (see Section V below) are subject to individual licensing. Goods which are subject to individual import licensing and for which such licences have been granted, for example, in the second half year of 1960, include: machinery; parts of machinery; scientific, surgical and optical instruments and apparatus; electrical goods; chemical fertilizers; newsprint; paper of all sorts; parts and accessories of motor vehicles; bicycles; parts and accessories of bicycles; radios and radiograms and domestic refrigerators and parts and accessories; household goods and musical apparatus; fountain pens; Burmese and Chinese raw medicines; medicated wines and toilet requisites. (See also Section V below.)

V. **Use of State-trading or Government monopoly in restricting imports**

7. Imports of coal, coke and of certain goods for Government use are permitted only through the Union of Burma Purchase Board.
8. Imports of canned fish; sugar; sweetened condensed and evaporated milk; white sheetings; plain grey long cloth and shirtings; plain grey sheetings; white long cloth and shirtings of plain and simple weave (excluding crêpes and finished shirtings such as the ever-glaze and seersucker types); white cambrics; white poplin or broad cloth and white twills; cotton and silk and cement, are exclusively reserved for the Civil Supplies Management Board. The Board is under the administrative control of the Ministry of Co-operatives and Commodity Distribution. The Board's function is to distribute these products equitably at controlled prices to consumers. The Board invites tenders from foreign exporters and purchases from those who offer the best qualities at the most competitive prices.

VI. Measures taken in 1959 and 1960 in relaxing or otherwise modifying restrictions

9. Effective 2 January 1959 all previous Open General Licences were withdrawn and the Open General Licences described in the Annex issued in their place. At the same time the requirement of prior approval of the exchange control authorities for opening letters of credit in respect of goods on Open General Licence was abolished.

10. On 4 June 1959 it was announced that all individual licences would henceforth be issued on a global basis, thus removing the remaining dollar discrimination in connexion with individual licences.

11. On 21 December 1959 all imports from Japan payable by letter of credit or sight draft were suspended until further notice. These restrictions were removed on 23 February 1960.

12. In February 1960 a new schedule for the issue of import licences for industrial raw materials and an Export Incentive Plan were announced. Import licences for industrial raw materials which previously had only been granted in January and June were to be issued at more frequent intervals to enable the procurement of raw materials to suit seasonal demands. Under the Export Incentive Plan exporters were to receive import licences in 1960 to a value of 25 per cent of the foreign exchange which the exporters had earned in 1959.

13. Effective 20 October 1960 sport and games requisites were placed under Open General Licence.

14. Effective 11 February 1961 tyres, tubes and flaps of natural or synthetic rubber were placed on Open General Licence.

VII. Effects of restrictions on trade and general policy in the use of restrictions for balance-of-payments reasons

Statement to be supplied by the Burmese authorities
Permission to import free from restriction is accorded under four Open General Licences for the following goods:

Open General Licence No. 1 permits the importation from any country of: agricultural implements; fishing nets and twines; vegetable and flower seeds for gardening; kerosene; grease and lubricating oil; motor spirits; most types of mineral oils; petrolatum; plastic moulding powder and pellets; gum and resins, including rosin; tyres, tubes and flaps of natural or synthetic rubber; spare parts for boilers and boiler accessories; empty glass bottles; feeding bottles, nipples and babies soothers; strained baby foods and milk for infants; educational and instructional toys; most sport and games requisites; printed matter and printing ink.

Open General Licence No. 2 permits the importation from any country of: containers exempt from duty; machinery and parts previously exported from Burma for repair and exposed photographic films or plates exported from Burma for processing.

Open General Licence No. 3 permits the importation from non-dollar countries of: newspapers; periodicals; books; maps; charts and plans.

Open General Licence No. 4 permits the importation under letter of credit of groundnut oil from non-dollar countries.