FOURTH BIENNIAL REVIEW OF THE IMPLEMENTATION AND OPERATION OF THE AGREEMENT

Basic Document by the Secretariat

At its meeting on 19 March 1987, the Committee agreed to the arrangements for the fourth biennial review, under Article 5.5 of the Agreement, proposed in document LIC/W/34 (LIC/M/17, paragraph 28).

The present document consolidates all relevant information submitted by signatories on their import licensing procedures as well as on any action taken by them under the Agreement. The document broadly follows the layout of those prepared for previous reviews (LIC/5, LIC/7 and LIC/9) and contains a systematic guide by way of references to data available to the Committee on 9 September 1987 and included in:

(a) publications used and texts available for consultation in the Secretariat (listed in LIC/3, LIC/3/Corr.1 and 2 and LIC/3/Add.1 to 17);

(b) information regarding public notice (LIC/4/Rev.2);

(c) notifications made to the Committee under Article 5.4 (LIC/1 and Addenda);

(d) replies to the GATT Questionnaire on Import Licensing Procedures (listed in L/5640/Rev.3 and subsequent Addenda to L/5640); and

(e) any relevant statements made by signatories under item-by-item examinations of the implementation and operation of the Agreement in the normal course of the Committee's work and as reported in the minutes of meetings (LIC/M/14/Rev.1 to LIC/M/18).
CONTENTS

1. Composition and Meetings of the Committee 3
2. Information 4
   Publication
   Names of publications used 4
   Copies of publications available in the Secretariat 6

   Public Notice 10
   Notifications relating to relevant laws and regulations 13
3. Administration of import licensing 15
   (a) Automatic import licensing 15
   (b) Non-automatic import licensing 21
4. Implementation of the Agreement with respect to developing countries 28
5. Work Programme of the Committee 28
6. Relationship between the work of the Committee and the Uruguay Round 29
7. Consultation and dispute settlement 29
   Procedures 29
   Panelists 29
8. Final Provisions 30
   Accession and Withdrawal 30
   Reservations, Amendments, Non-Application 30
1. COMPOSITION AND MEETINGS OF THE COMMITTEE ON IMPORT LICENSING

Chairperson: Mr. A. Liontas (Greece) from June 1984 to March 1986  
Ms. D. Dwoskin (United States) from March 1986 to March 1987  
Mr. A.H. Mamdouh (Egypt) from March 1987

Vice-Chairperson: Mr. L. Paunescu (Romania) from June 1984 to March 1985  
Mr. C. Hammar (Sweden) from March 1985 to March 1986  
Mr. F. Morales (Chile) from March 1986 to March 1987  
Mr. K. Leifland (Sweden) from March 1987

Signatories

Argentina Hong Kong Pakistan
Australia Hungary Philippines
Austria India Poland
Canada Japan Romania
Chile Mexico (ad referendum) Singapore
Czechoslovakia from 24 July 1987 South Africa
Egypt New Zealand Sweden
European Economic Community Nigeria Switzerland
Finland (from 24 March 1986) United States

Observers

1. Governments

Bangladesh Indonesia Senegal
Brazil Israel Sri Lanka
Bulgaria Jamaica Tanzania
China Korea, Rep. of Thailand
Colombia Malaysia Trinidad and Tobago
Côte d'Ivoire Malta
Cuba Nicaragua Tunisia
Ecuador Peru Turkey
Gabon

1 Accepted subject to approval on 23 April 1986: final acceptance 27 March 1987.

2 For procedures relating to the participation of observers, see LIC/M/2, paragraphs 3, 4 and Annex.
2. International Organizations:

IMF; UNCTAD

Since the third biennial review, noted in LIC/M/14/Rev.1, the Committee has held four meetings: in March 1986, October 1986, March 1987 and May 1987. Minutes of these meetings are contained in LIC/M/15-18.

2. INFORMATION

Publication

Articles 1.4, 3(c) and 3(e) of the Agreement on Import Licensing Procedures provide that Parties shall publish certain information, Article 1.4 also providing explicitly that copies of the relevant publications shall be made available to the GATT Secretariat. At the meeting of the Committee on Import Licensing held in April 1980 there was general agreement that, if delegations were not able to notify the full text of their laws and regulations in an official GATT language, they should supply national publications containing these texts to the GATT Secretariat (LIC/M/2, paragraphs 12 to 14).

Names of publications used

The following publications are used by Parties to provide information on their import licensing procedures.

Argentina: Official Gazette (LIC/3/Add.4)

Australia: Bureau of Customs Notice; Industry and Commerce Press Release; Department of Business and Consumer Affairs Media Release (LIC/3/Corr.1)

Austria: Federal Gazette (LIC/3)

Canada: Canada Gazette (LIC/3)

Chile: Compendia de Normas de Importación (LIC/3)

Czechoslovakia: Gazette of the Federal Ministry of Foreign Trade; Public Notices of the Federal Ministry of Foreign Trade, the Ministry of Health, the Ministry of Justice and the Ministry of Agriculture (LIC/3/Add.4)

Egypt (see below, section 3)

European Economic Community: Official Journal of the European Communities, L and C series (LIC/3/Corr.1)
Belgium: Moniteur belge/Belgish Staatsblad; Informations du Commerce extérieur belge/Berichten over de buitenlandse handel (LIC/3/Corr.2)

Denmark: Meddelser fra Interministeriets Licenskontor (LIC/3/Corr.1)

France: Journal Officiel (LIC/3/Corr.1)

Germany, Federal Republic of: Bundesanzeiger; Bundesgesetzbldatt (LIC/3/Corr.1)


Ireland: Iris Oifigiul (Official Gazette) (LIC/3/Corr.1)

Italy: Gazzetta Ufficiale; publications of the National External Trade Institute; Ministerial circulars (LIC/3/Corr.1)

Luxembourg: Mémorial du Grand-Duché de Luxembourg (LIC/3/Corr.1)

Netherlands: Staatsblad (LIC/3/Corr.1)

Portugal

Spain

United Kingdom: British Business; Press Notices and Announcements in Parliament (LIC/3/Corr.1)

Finland: Collection of Statutes of Finland; Ministry for Foreign Affairs, "Import System of Finland" (LIC/3/Corr.3)

Hong Kong: Hong Kong Government Gazette; Circulars of the Hong Kong Government (LIC/3/Add.4)

Hungary: Hungarian Gazette; Foreign Trade Gazette; Ministry of Foreign Trade, "Information on Import Licensing Procedures"; Hungarian Chamber of Commerce, "Directory of Hungarian Foreign Trade Companies" (LIC/3/Corr.2)

India: Import Policy Book; Handbook of Import-Export Procedures (LIC/3)


Mexico
New Zealand: Customs Bulletin; Import Licensing Schedule; New Zealand Gazette (LIC/3).

Nigeria (see below, section 3)

Norway: Melding fra Handelsdepartmentet (LIC/3)

Pakistan: The Gazette of Pakistan (LIC/3/Add.3)

Philippines: Official Gazette: Annual Reports of the Central Bank (LIC/3/Add.4)

Poland

Romania: Informatii de comert exterior (LIC/3)

Singapore

South Africa: Republic of South Africa Government Gazette (LIC/3)

Sweden: Board of Commerce, laws and regulations (KFS series); National Agricultural Market Board, laws (JNFS series) (LIC/3)

Switzerland: Recueil des lois fédérales (RO) (LIC/3/Add.3)

United States: Department of Treasury, Bureau of Alcohol, Tobacco and Firearms publications, ATF-P series; Department of Agriculture publications, USCS series; Code of Federal Regulations; Federal Register; Department of Energy, USC series; Appendix to United States Tariff Schedule (LIC/3)

Yugoslavia: Official Gazette of Yugoslavia (LIC/3)

Copies of publications available in the Secretariat

The following documents in the LIC/3 series give references to publications copies of which are available in the Secretariat.

Argentina
LIC/3; Part II, paragraphs 1.1 and 1.2
LIC/3/Add.4; Part II, paragraphs 1.1 and 1.2

Australia
LIC/3; Part II, paragraphs 2.1 to 2.6
LIC/3/Add.2; paragraphs 1.1 to 1.13
LIC/3/Add.4; Part II, paragraphs 2.1 to 2.3
LIC/3/Add.6; paragraph 1.1

Austria
Canada
LIC/3; Part II, paragraphs 3.1 to 3.21
LIC/3/Add.1; paragraphs 1.1 and 1.2
LIC/3/Add.2; paragraphs 2.1 to 2.12
LIC/3/Add.4; Part II, paragraphs 3.1 and 3.2
LIC/3/Add.5; paragraph 1.1
LIC/3/Add.6; paragraphs 2.1 to 2.10
LIC/3/Add.7; paragraphs 1.1 to 1.12
LIC/3/Add.8; paragraphs 1.1 to 1.5
LIC/3/Add.9; paragraphs 1.1 to 1.6
LIC/3/Add.10; paragraphs 1.1 to 1.12
LIC/3/Add.11; paragraphs 1.1 to 1.9
LIC/3/Add.12; paragraphs 1.1 to 1.3
LIC/3/Add.13; paragraph 1.1
LIC/3/Add.15; paragraph 1.1
LIC/3/Add.16; paragraph 1

Chile
LIC/3/Add.7; paragraph 2.1
LIC/3/Add.8; paragraph 2.1

Czechoslovakia
LIC/3/Add.6; paragraphs 3.1 to 3.8

Egypt (see below, section 3)

European Economic Community
LIC/3; Part II, paragraphs 5.1.1 to 5.1.4 and 5.1.6 to 5.1.9
LIC/3/Add.1; paragraph 2.1
LIC/3/Add.5; paragraphs 2.1.1 and 2.1.2

Belgium
LIC/3; Part II, paragraphs 5.2.1 and 5.2.2
LIC/3/Add.4; Part II, paragraphs 4.1.1 to 4.1.11
LIC/3/Add.6; paragraphs 4.1.1 to 4.1.6
LIC/3/Add.7; paragraph 3.1.1
LIC/3/Add.9; paragraphs 2.1.1 to 2.1.8

Denmark
LIC/3; Part II, paragraphs 5.3.1 to 5.3.3
LIC/3/Corr.2; Part II, paragraphs 5.3.1 to 5.3.3
LIC/3/Add.3; Part II, paragraph 2.1.1
LIC/3/Add.4; Part II, paragraphs 4.2.1 to 4.2.8
LIC/3/Add.5; paragraphs 2.2.1 and 2.2.2
LIC/3/Add.6; paragraph 4.2.1
LIC/3/Add.7; paragraph 3.2.1
LIC/3/Add.8; paragraph 3.1.1
LIC/3/Add.9; paragraph 2.3.1 and 2.3.2
LIC/3/Add.11; paragraphs 2.1.1 to 2.1.3
LIC/3/Add.12; paragraphs 2.1.1 and 2.1.2
LIC/3/Add.13; paragraph 2.1.1
LIC/3/Add.14; paragraph 1.1
France  
LIC/3; Part II, paragraphs 5.4.1 to 5.4.18

Germany, Federal Republic of  
LIC/3; Part II, paragraphs 5.5.1 and 5.5.2

Greece  
LIC/3/Add.2; paragraphs 3.1.1 and 3.1.2

Ireland  
LIC/3; Part II, paragraphs 5.6.1 to 5.6.5

Italy  
LIC/3; Part II, paragraph 5.7.1

Luxembourg  
LIC/3; Part II, paragraphs 5.8.1 and 5.8.2  
LIC/3/Add.9; paragraphs 2.2.1 to 2.2.4

Netherlands  
LIC/3; Part II, paragraphs 5.9.1 to 5.9.5  
LIC/3/Add.4; Part II, paragraphs 4.3.1 to 4.3.7

Portugal

Spain

United Kingdom  
LIC/3; Part II, paragraph 5.10.1  
LIC/3/Add.3; Part II, paragraphs 2.2.1 to 2.2.3

Finland  
LIC/3; Part II, paragraphs 6.1 and 6.2  
LIC/3/Add.2; paragraph 4.1  
LIC/3/Add.6; paragraph 5.1  
LIC/3/Add.7; paragraph 4.1

Hong Kong  
LIC/3; Part II, paragraphs 15.1 and 15.2  
LIC/3/Add.1; paragraphs 3.1 to 3.3  
LIC/3/Add.4; Part II, paragraph 8.1  
LIC/3/Add.7; paragraph 7.1  
LIC/3/Add.9; paragraph 7.1  
LIC/3/Add.13; paragraph 5.1  
LIC/3/Add.16; paragraph 2

Hungary  
LIC/3; Part II, paragraphs 7.1 to 7.6  
LIC/3/Add.3; Part II, paragraph 3.1  
LIC/3/Add.6; paragraphs 6.1 and 6.2

(Copies of the Foreign Trade Gazette are available in the Secretariat.)
India
LIC/3; Part II, paragraphs 8.1 to 8.4
LIC/3/Add.3; Part II, paragraphs 4.1 and 4.2
LIC/3/Add.6; paragraphs 7.1 to 7.3
LIC/3/Add.8; paragraphs 4.1 to 4.3
LIC/3/Add.10; paragraphs 3.1 to 3.3
LIC/3/Add.12; paragraphs 3.1 to 3.3

Japan
LIC/3/Add.3; Part II, paragraphs 5.1 to 5.3
LIC/3/Add.14; paragraph 2.1

Mexico

New Zealand
LIC/3; Part II, paragraphs 10.1 to 10.9
LIC/3/Add.2; paragraphs 5.1 to 5.5
LIC/3/Add.4; Part II, paragraphs 5.1 to 5.2
LIC/3/Add.5; paragraphs 3.1 to 3.5
LIC/3/Add.6; paragraphs 8.1 to 8.3
LIC/3/Add.7; paragraphs 5.1 to 5.7 and LIC/3/Add.7/Corr.1
LIC/3/Add.8; paragraphs 5.1 to 5.4
LIC/3/Add.9; paragraphs 3.1 to 3.3
LIC/3/Add.10; paragraph 4.1
LIC/3/Add.11; paragraph 3.1
LIC/3/Add.12; paragraphs 4.1 to 4.3
LIC/3/Add.13; paragraph 3.1
LIC/3/Add.14; paragraph 3.1
LIC/3/Add.15; paragraph 2.1
LIC/3/Add.16; paragraph 3

Nigeria (see below, section 3)

Norway
LIC/3; Part II, paragraph 11.1

Pakistan
LIC/3/Add.3; Part II, paragraph 6.1
LIC/3/Add.4; Part II, paragraph 6.1
LIC/3/Add.7; paragraph 6.1
LIC/3/Add.9; paragraph 4.1
LIC/3/Add.12; paragraph 5.1
LIC/3/Add.13; paragraph 4.1
LIC/3/Add.15; paragraph 3.1

Philippines
LIC/3/Add.3; Part II, paragraphs 7.1 to 7.39
LIC/3/Add.5; paragraphs 4.1 to 4.26
LIC/3/Add.6; paragraphs 9.1 to 9.7
Poland

Romania
LIC/3; Part II, paragraphs 12.1 to 12.3

Singapore

South Africa
LIC/3; Part II, paragraph 13.1
LIC/3/Add.9; paragraph 5.1
LIC/3/Add.10; paragraph 5.1
LIC/3/Add.13; paragraph 7.1
LIC/3/Add.16; paragraph 4

Sweden
LIC/3; Part II, paragraphs 14.2 to 14.4, 14.7, 14.9 to 14.16
14.8 to 14.26, 14.28 to 14.31
LIC/3/Add.2; paragraphs 6.1, 6.2, 6.5 and 6.6
LIC/3/Add.3; Part II, paragraphs 8.1 and 8.2
LIC/3/Add.4; Part II, paragraphs 7.1 to 7.2
LIC/3/Add.6; paragraph 10.1
LIC/3/Add.8; paragraphs 6.1 to 6.4
LIC/3/Add.9; paragraphs 6.1 to 6.5
LIC/3/Add.10; paragraphs 6.3 to 6.5
LIC/3/Add.11; paragraphs 4.1 to 4.7
LIC/3/Add.12; paragraph 6.1 to 6.9
LIC/3/Add.15; paragraph 4

United States
LIC/3; Part II, paragraphs 16.1 to 16.7 and paragraphs
16.11 to 16.13
LIC/3/Corr.1; Part II, paragraphs 16.8 to 16.10
LIC/3/Add.1; paragraphs 4.1 to 4.4
LIC/3/Add.3; Part II, paragraphs 9.1 to 9.5
LIC/3/Add.6; paragraph 11.1
LIC/3/Add.9; paragraph 8.1
LIC/3/Add.11; paragraph 5.1
LIC/3/Add.13; paragraph 6.1

Yugoslavia
LIC/3/Add.2; paragraph 7.1

Public Notice

The Committee noted Article 3(d) which reads as follows "in the case of quotas allocated amongst supplying countries, the Party applying the restrictions shall promptly inform all other Parties having an interest in supplying the product concerned of the shares in the quota currently
allocated, by quantity or value, to the various supplying countries and shall give public notice thereof".

Document LIC/4/Rev.3 contains information on public notice as follows:

**Argentina**
LIC/4/Rev.3; paragraph 1

**Australia**
LIC/4/Rev.3; paragraph 2

**Austria**
LIC/4/Rev.3; paragraph 3

**Canada**
LIC/4/Rev.3; paragraph 4

**Chile**
LIC/4/Rev.3; paragraph 5

**Czechoslovakia**
LIC/4/Rev.3; paragraph 6

**Egypt** (see below, section 3)

**European Economic Community**
LIC/4/Rev.3; paragraph 7

**Belgium**
LIC/4/Rev.3; paragraph 7.1

**Denmark**
LIC/4/Rev.3; paragraph 7.2

**France**
LIC/4/Rev.3; paragraph 7.3

**Germany, Federal Republic of**
LIC/4/Rev.3; paragraph 7.4

**Greece**
LIC/4/Rev.3; paragraph 7.5

**Ireland**
LIC/4/Rev.3; paragraph 7.6

**Italy**
LIC/4/Rev.3; paragraph 7.7

**Luxembourg**
LIC/4/Rev.3; paragraph 7.8
Netherlands
LIC/4/Rev.3; paragraph 7.9

Portugal

Spain

United Kingdom
LIC/4/Rev.3; paragraph 7.10

Finland
LIC/4/Rev.3; paragraph 8

Hong Kong
LIC/4/Rev.3; paragraph 20

Hungary
LIC/4/Rev.3; paragraph 9

India
LIC/4/Rev.3; paragraph 10

Japan
LIC/4/Rev.3; paragraph 11

Mexico

New Zealand
New Zealand Gazette

Nigeria (see below, section 3)

Norway
LIC/4/Rev.3; paragraph 13

Pakistan
LIC/4/Rev.3; paragraph 14

Philippines
LIC/4/Rev.3; paragraph 15

Poland (see below, section 3)

Romania
LIC/4/Rev.3; paragraph 16

Singapore

3 Import Licensing Bulletin referred to in LIC/4/Rev.3, paragraph 12 is no longer published.
Notifications relating to relevant laws and regulations

Article 5, paragraph 4(a) of the Agreement provides that "each government accepting or acceding to this Agreement shall ensure, no later than the date of entry into force of this Agreement for it, the conformity of its laws, regulations and administrative procedures with the provisions of this Agreement"; paragraph 4(b) provides that "each Party shall inform the Committee of any changes in its laws and regulations relevant to this Agreement and in the administration of such laws and regulations".

Signatories have been invited, as in other Committees, to notify the full text of relevant laws and regulations in an official GATT language for translation and circulation to the Committee. The Committee agreed that, if this was not practicable for certain delegations, as a first step they should submit publications containing the full text of these laws and regulations in the national language (LIC/M/2, paragraphs 12-14). Texts of laws and regulations supplied only in the national language are listed in Section 2.1.2 above.

Notifications circulated under the above-mentioned provisions are reproduced in LIC/1 and Addenda, as follows:

Argentina
LIC/1

Australia
LIC/1/Add.23

Austria
LIC/1/Add.8

Canada
LIC/1/Add.22
Chile
LIC/1/Add.5 and Corr. 1; LIC/1/Add.10; LIC/1/Add.26

Czechoslovakia
LIC/1/Add.28

Egypt
LIC/1/Add.33

European Economic Community
LIC/1/Add.3; LIC/1/Add.18; LIC/1/Add.31

Belgium
LIC/1/Add.17/Rev.1

Denmark
LIC/1/Add.7 and Suppl.1

France
LIC/1/Add.13

Germany, Federal Republic of
LIC/1/Add.9; LIC/1/Add.34

Greece

Ireland
LIC/1/Add.13

Italy

Luxembourg
LIC/1/Add.12

Netherlands

Portugal

Spain

United Kingdom
LIC/1/Add.12

Finland
LIC/1/Add.4 and Suppl.1

Hong Kong
LIC/1/Add.14; LIC/1/Add.30; LIC/1/Add.32

Hungary
LIC/1/Add.11: recently some 61 other enterprises were entitled to conduct general foreign trade activity.
3. ADMINISTRATION OF IMPORT LICENSING

(a) Automatic import licensing

Article 2, paragraph 1 of the Agreement defines automatic import licensing as "import licensing where approval of the application is freely granted," Article 2, paragraph 2(a) going on to provide that "automatic
licensing procedures shall not be administered in a manner so as to have restricting effects on imports subject to automatic licensing." Generally, information concerning the administration of automatic licensing procedures can be found under the following headings in the replies to the GATT Questionnaire on Import Licensing Procedures:

<table>
<thead>
<tr>
<th></th>
<th>Relevant Article in Agreement</th>
<th>Relevant Question in Questionnaire</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Purposes of maintaining automatic import licensing procedures</td>
<td>Article 2.2(b)</td>
</tr>
<tr>
<td>2.</td>
<td>Product coverage</td>
<td>Article 1.4</td>
</tr>
<tr>
<td>3.</td>
<td>Eligibility of importers to apply for automatic licenses</td>
<td>Article 2.2(c) and Article 1.4</td>
</tr>
<tr>
<td>4.</td>
<td>Period of submission and processing of applications</td>
<td>Article 2.2(d) and Article 2.2(e)</td>
</tr>
<tr>
<td>5.</td>
<td>Administrative body to be approached</td>
<td>Article 1.6</td>
</tr>
<tr>
<td>6.</td>
<td>Refusal of applications</td>
<td>Article 1.7</td>
</tr>
<tr>
<td>7.</td>
<td>Application forms and other documents required on application</td>
<td>Article 1.5</td>
</tr>
<tr>
<td>8.</td>
<td>Availability of foreign exchange for imports</td>
<td>Article 1.9</td>
</tr>
</tbody>
</table>

This section gives references to information notified in each signatory's replies to the Questionnaire on Import Licensing Procedures. Reference is also made to any statements made by signatories on their implementation of the provisions of the Agreement on automatic import licensing, as reported in the minutes of the meetings since the third biennial review (LIC/M/14/Rev.1 to LIC/M/18).

Argentina (L/5640/Add.27 and Corr.1)

For most imported goods there is an automatic licensing system. Import authorization for carbon steel sheets and plates and alloy steel bars.

Australia (L/5640/Add.13/Rev.1)

No automatic licensing procedures.
**Austria (L/5640/Add.35 and Corr.1)**

Licensing used for statistical purposes.

**Canada (L/5640/Add.10/Rev.2)**

(a) Import permits for controlled and restricted drugs (pages 4-7).

(b) Import permits for explosives (pages 8-10).

(c) Import permits for radioactive materials (prescribed substances) (pages 11-13).

(d) "Permit to Import" required for regulated plants and plant parts (pages 14-15).

(e) Import permit for live animals, animal products, birds and veterinary biologics (pages 18-20: see also section (b) below).

(f) Global surveillance of imports of dry casein (page 47)

(g) Individual and open general licensing for coffee, pursuant to undertakings under the International Coffee Agreement (pages 55-57).

(h) Open general licensing for endangered species (pages 57-59).

(i) Individual and open general licensing for carbon steel (pages 60-63).

**Chile (L/5640/Add.8/Rev.1)**

Import certificate used for statistical purposes.

**Czechoslovakia (L/5301 and L/5640/Add.38)**

No automatic licensing procedures.

**Egypt (L/5640/Add.37)**

Egypt has notified that in 1986 a procedure of import application approval by two import rationalization committees ceased to exist. Monitoring system still exists.

See also LIC/M/16.
(a) Import document for surveillance of liberalized products under Title III of Regulation 1765/82 and Title V of Regulation 288/82.

(b) Import certificate applicable to a number of agricultural products for statistical purposes.

See also LIC/M/14/Rev.1.

Benelux Economic Union (L/5640/Add.21/Rev.1, pages 18-22)

Licensing used for the application of certain regulations or administrative provisions.

Denmark (L/5640/Add.21/Rev.1/Suppl.1)

Unrestricted licensing used as a tentative liberalization. This system had not been used in the six or seven years preceding the reply.

France (L/5640/Add.21/Rev.1, pages 23-26)

[No automatic licensing procedures.] [Technical visas are required for certain liberalized products, for establishing statistics, verifying prices and implementing agricultural policy.]

Germany, Federal Republic of (L/5640/Add.21/Rev.1, pages 27-31, and Suppl.2)

No automatic licensing procedures.

Greece (L/5640/Add.21/Rev.1)

Automatic import licensing for certain products in List A.

Ireland (COM.IND/W/55 - COM.AG/W/72/Add.59)

System of national surveillance.

Italy (L/5640/Add.21/Rev.1/Suppl.1)

Automatic licensing; import declaration; ICE visa and agricultural certificates.

Portugal

See LIC/M/15.
Spain
See LIC/M/15.

**United Kingdom** (L/5640/Add.21/Rev.1)
Open General Import Licence.

**Finland** (L/5640/Add.6 and Corr.1)
Automatic Licensing for surveillance purposes for certain textile, steel and agricultural products.

**Hong Kong** (L/5640/Add.36 and Suppl.1)
Import licensing of goods other than rice, for strategic control, public health, reserve stocks or surveillance purposes.

**Hungary** (L/5194 and L/5640/Add.12)
No automatic licensing procedures.

**India** (L/5640/Add.7/Rev.2)
Open General Licence.

**Japan** (L/5168 and L/5640/Add.28)
Prior confirmation system (see LIC/M/5, paragraph 47).

**Mexico** (L/5640/Add.41)

**New Zealand** (L/5640/Add.18)
"Licence on Demand" Status. Licences under the Import Licence Tendering Scheme move to "Global Licence on Demand" when average premiums in the two previous tender rounds have been 7.5 per cent or less. The goods that are the subject of the licence retain "Licence on Demand" status for 12 months and are then automatically exempted from import licence control. See also LIC/M/14/Rev.1, 15, 16 and 17.

**Nigeria**
Nigeria has stated in the Committee on Balance-of-Payments Restrictions that all import licensing restrictions were abolished on the introduction of the Second-Tier Foreign Exchange market in 1986. See BOP/268.

**Norway** (L/5374 and L/5640/Add.2)
Liberal licensing of certain agricultural imports.

See also LIC/M/15.
Pakistan (L/5640/Add.25 and Suppl.1)
No automatic licensing procedures.

Philippines (L/5640/Add.26/Rev.1)
Automatic licensing for non-quota products.

Poland (L/5640/Add.39)
No automatic licensing procedures.

See also LIC/M/17.

Romania (L/5110 and L/5640/Add.32)
Licences issued for keeping under observation the application of the provisions of Foreign Trade Plan.

Relevant information is contained in L/5110 of 24 February 1981.

Singapore (L/5640/Add.33)
All goods can be imported freely unless licence is required (currently for rice and air conditioners not exceeding 9,000 K.Cal/hr.)

South Africa (L/5640/Add.17/Rev.2)
No automatic licensing procedures.

Sweden (L/5640/Add.14/Rev.1)
(a) Licensing used to supervise imports within CCCN Chapters 1-24.

(b) Licensing used for surveillance purposes.

Switzerland (L/5223 and Corr.1 and L/5640/Add.19)
(a) Automatic licensing; "Three-phase" system for certain products within Chapters 1-24.

(b) Automatic Import Licensing for certain products within Chapters 25-99.

United States (L/5640/Add.40)
No automatic licensing procedures.

Yugoslavia (L/5640/Add.20/Rev.1)
No automatic licensing procedures.
(b) Non-automatic import licensing

The introduction to Article 3 defines non-automatic licensing as "import licensing procedures not falling under paragraphs 1 and 2 of Article 2" (which deal with automatic licensing), paragraph (a) going on to provide that "procedures adopted, and practices applied, in connection with the issuance of licences for the administration of quotas and other import restrictions shall not have trade restrictive effects on imports additional to those caused by the imposition of the restriction."

Generally, information concerning the administration of non-automatic licensing procedures can be found under the following headings of the replies to the GATT Questionnaire on Import Licensing Procedures:

1. Purpose
   - Relevant Article in Agreement: Article 3(a)
   - Relevant Question in Questionnaire: No. 4

2. Product coverage under each non-automatic licensing system
   - Relevant Article in Agreement: Article 1.4
   - Relevant Question in Questionnaire: No. 2

3. Distribution of licences among supplying countries
   - Relevant Article in Agreement: Article 3(b)iii and 3(m)
   - Relevant Question in Questionnaire: No. 3

4. Size of Quotas
   - Relevant Article in Agreement: Articles 3(i), 3(j) and 3(n)
   - Relevant Question in Questionnaire: Nos 6(a), 6(b) and 6(c)

5. Eligibility of importers to apply for a non-automatic licence
   - Relevant Article in Agreement: Article 3(f)
   - Relevant Question in Questionnaire: No. 9(b)

6. Allocation of licences to applicants
   - Relevant Article in Agreement: Article 3(k) and 3(l)
   - Relevant Question in Questionnaire: Nos. 6(c) and 6(h)

7. Period of processing of applications
   - Relevant Article in Agreement: Article 3(g)
   - Relevant Question in Questionnaire: No. 6(e)

8. Period of licence validity
   - Relevant Article in Agreement: Article 3(h)
   - Relevant Question in Questionnaire: Nos 6(f) and 14

9. Application forms and other documents required on application
   - Relevant Article in Agreement: Article 1.5
   - Relevant Question in Questionnaire: No. 10

10. Administrative body to be approached
    - Relevant Article in Agreement: Article 1.6
    - Relevant Question in Questionnaire: No. 6(g)

11. Refusal of applications
    - Relevant Article in Agreement: Article 1.7
    - Relevant Question in Questionnaire: No. 8

12. Availability of foreign exchange
    - Relevant Article in Agreement: Article 1.9
    - Relevant Question in Questionnaire: No. 19
This section gives references to information contained in each signatory's replies to the Questionnaire on Import Licensing Procedures. Reference is also made to any statements made by signatories on their implementation of the provisions of the Agreement on non-automatic import licensing, as reported in the minutes of the meetings since the third biennial review (LIC/M/14/Rev.1 to LIC/M/18).

**Argentina** (L/5640/Add.27 and Corr.1)

System of prior study and Sworn Declaration of Import Needs.

**Australia** (L/5640/Add.13/Rev.1)

(a) Import licensing in respect of designated industrial goods (used, second-hand or disposals earth-moving equipment, tractors, road-rollers, materials handling equipment and certain four-wheel-drive vehicles) in order to restrict the quantity of goods imported, to assist local industry.

(b) Import Licensing used to control the importation of narcotics and certain psychotropic substances.

**Austria** (L/5640/Add.35 and Corr.1)

(a) Import Licences for products subject to quantitative restrictions.

(b) Other

- Importation of textiles (MFA)
- Import licences of the Monopoly Administration (L/1949/Add.21)
- Importation of coffee (International Coffee Agreement, 1983)
- Importation of Sugar (International Sugar Agreement)

These licensing procedures are mentioned but no details are given.

**Canada** (L/5640/Add.10/Rev.2 and Suppl.1)

(a) Import licensing of narcotics, controlled and restricted drugs (pages 4-7).

(b) Import control of prescribed radioactive substances (pages 11-13).

(c) Import control of certain food products under Animal Disease and Protection Act (pages 18-20).

(d) Import control of grains (pages 21-23).
(e) General or individual "back to back" import licensing of clothing and handbags to administer bilateral export restraint arrangements under MFA (pages 32-36 and Suppl.1).

(f) General or individual "back to back" import licensing of textiles to administer bilateral export restraint arrangements under MFA (pages 37-41 and Suppl.1).

(g) Individual import licensing for women's and girls' footwear products to restrict the quantity of imports in accordance with Article XIX action. Men's and boys' footwear was derestricted on 1 December 1985 (pages 42-46).

(h) Individual import licensing of dairy products

   (i) subject to global quotas (cheese, dry buttermilk, sweet condensed milk)
   (ii) subject to discretionary licensing (all remaining products) (pages 47-51)

(i) Individual import licensing of turkey, eggs and chicken to administer import restrictions (pages 52-54).

(j) Individual import permits for endangered species (pages 57-59).

Chile (L/5640/Add.8/Rev.1 and Suppl.2)

No non-automatic licensing procedures.

Czechoslovakia (L/5301 and L/5640/Add.38)

(a) Veterinary licence required for importation of all live animals and animal products.

(b) Import licence for plants and vegetable products.

(c) Licences for imports of narcotics.

(d) Importation of arms, ammunition and explosives is regulated by internal provisions. These provisions are not published and information relating to their implementation is not furnished for reasons of protection of essential security interests.

Egypt (L/5640/Add.37)

No non-automatic licensing (see section (a) above).

See also LIC/M/16.
European Economic Community (L/5640/Add.21/Rev.1, pages 2-17)
Import authorizations for products subject to Community quotas.
See also LIC/M/14/Rev.1, LIC/M/15, LIC/M/16.

Benelux Economic Union (L/5640/Add.21/Rev.1, pages 18-22)
Import licensing of designated goods to administer import restrictions.

Denmark (L/5640/Add.21/Rev.1/Suppl.1)
Import licensing of designated goods (potatoes, tomatoes, ethanol and gold) to administer quantitative restrictions.

France (L/5640/Add.21/Rev.1, pages 23-26)
Import licensing for products under quota restrictions.

Germany, Federal Republic of (L/5640/Add.21/Rev.1, pages 27-31, and Suppl.2)
Licensing to restrict the quantity of imports; applied to a number of foodstuffs and coal products from all sources, textiles and ceramics, and certain products from State-trading countries.

Greece (L/5640/Add.21/Rev.1, pages 32-36)
Import licensing of designated goods (certain agricultural goods, capital goods, textiles and iron and steel products).

Ireland (COM.IND/W/55 - COM.AG/W/72/Add.59)
Licensing to administer annual quotas.

Italy (L/5640/Add.21/Rev.1/Suppl.1)
Import licensing of designated goods used to administer quantitative import restrictions.

Portugal

Spain

United Kingdom (L/5640/Add.21/Rev.1 and Suppl.2)
Individual import licences for goods originating from the sources indicated.
Finland (L/5130/Rev.1, L/5640/Add.6 and Corr.1)

Global licensing for the administration of quotas.
Individual (discretionary) licensing.

Hong Kong (L/5640/Add.36 and Suppl.1)

No non-automatic licensing (see section (a) above).

Hungary (L/5194 and L/5640/Add.12)

Import licensing to administer import quotas for consumer goods.

India (L/5640/Add.7/Rev.2)

Import licences or customs clearance permits, and supplementary licences, for all imports unless exempted.

See also LIC/M/14/Rev.1, LIC/M/15.

Japan (L/5168 and L/5640/Add.28)

Certificate of import quota allocation required for designated items in the import quota system.

See also LIC/M/14/Rev.1, LIC/M/15.

Mexico (L/5640/Add.41)

New Zealand (L/5640/Add.18 and Suppl.1)

(a) Basic licences to administer restrictions on imports of designated goods, based on the amount of qualifying licences held in the previous period.

(b) Special licences issued to meet specific requirements for item codes with a "special" allocation or above the basic allocation in other item codes.

(c) Licences issued under the Import Licence Tendering Scheme.

Import licensing on all goods except of those covered by specific industry plans is to terminate on 1 July 1988.

See also LIC/M/14/Rev.1, LIC/M/15, LIC/M/16, LIC/M/17.

Nigeria (see under "Automatic licensing" above)
Norway (L/5734 and L/5640/Add.23)

(a) Import licensing for certain categories of textile products, mainly ready-made clothes, which are subject to MFA agreements.

(b) Licensing on imports of refined sugar.

(c) Licensing on certain imports from bilateral agreements countries.

(d) Import licensing of designated agricultural goods to regulate imports on a quantitative basis.

See also LIC/M/15.

Pakistan (L/5640/Add.25 and Suppl.1)

"Negative list" of items banned for import, and "restricted list", including, inter alia, items subject to quantitative restrictions.

Philippines (L/5640/Add.26/Rev.1)

Discretionary licensing to administer imports of designated goods, operated through specified agencies.

Poland (L/5640/Add.39)

One import licensing system is applied to all products from all sources.

See also LIC/M/17.

Romania (L/5110 and L/5640/Add.32)

Licences issued for the administration of eventual restrictions which may be imposed with a view to equilibrating the balance-of-payments, protecting public health, for national defence and State security.

At present these licences are not applied.

Singapore (L/5640/Add.33)

Licences are used to effect quotas and other controls on import of rice, air conditioners not exceeding 9,000 K.cal/hr., and all goods originating from Albania, Laos, East Germany, Viet Nam and Mongolia.

South Africa (L/5640/Add.17/Rev.2)

General licences and specific licences to monitor imports of certain sensitive commodities. Specific licences are made available on the basis of importers' past performance.

See also LIC/M/14/Rev.1.
Sweden (L/5640/Add.14/Rev.1)

(a) Import licensing by the National Agricultural Market Board or the National Board of Trade, of designated goods within CCCN Chapters 1-24 and 31 to administer import restrictions.

(b) Import licensing by the National Board of Trade to supervise import restriction on designated goods under CCCN Chapters 25-99 (except 31) from State-trading countries, on textile and clothing products under the MFA, on iron and steel products and on imports from South Africa.

Switzerland (L/5223 and L/5640/Add.19)

(a) Import licensing to administer quantitative restrictions; "take-over" system; "three-phase" system for products within Chapters 1-24.

(b) Import Licensing of designated goods subject to quantitative restrictions (narcotic drugs, full-length feature films).

United States (L/5640/Add.40)

(a) Import permits for plants and plant products required to protect against introduction of plant pests and disease (Department of Agriculture).

(b) Certificates of eligibility for imports of sugars, syrups and molasses from quota countries; separate quotas for specialty sugar; licences for quota-exempt sugar from all sources (Department of Agriculture).

(c) Import licensing to administer quantitative restrictions on certain dairy products (Department of Agriculture).

(d) Import permits for livestock and poultry required to protect against introduction of animal disease or pests (Department of Agriculture).

(e) Import licensing to administer imports of natural gas (Department of Energy).

(f) Import licensing to administer imports of fish and wildlife (including endangered species) (Department of Interior).

(g) Import licensing to administer quantitative restrictions on controlled drugs and to maintain a monitoring system (Department of Justice).

(h) Import licensing to administer packaging and labelling requirements for distilled spirits (beverages), wine and malt beverages (Department of Treasury).
(i) Permit system to control authorized importation of distilled spirits for industrial purposes (Department of Treasury).

(j) Licensing system to administer imports of firearms and ammunition (Department of Treasury).

(k) A system of registration and permits to administer importation of arms, ammunition and implements of war (Department of Treasury).

(l) Licensing system to administer imports of explosives (Department of Treasury).

(m) Import licensing of nuclear facilities and materials (Nuclear Regulatory Commission).

(n) Licensing to control imports of biological products (Food and Drug Administration).

Yugoslavia (L/5640/Add.20/Rev.1)

Import licensing to administer imports of goods listed in the Annex to Yugoslavia's reply.

4. IMPLEMENTATION OF THE AGREEMENT WITH RESPECT TO DEVELOPING COUNTRIES

Since the third biennial review, there has been no further discussion in the Committee of possible obstacles to joining the Agreement. LIC/9, page 28 and LIC/8 contain the records of the earlier discussions of this question. In the intervening period, Hong Kong has become a signatory to the Agreement in its own right (LIC/10) and two other developing countries (Nigeria and Mexico) have signed the Agreement (see LIC/M/16 and LIC/11 and Add.1).

5. WORK PROGRAMME OF THE COMMITTEE

At its eleventh meeting, the Committee adopted, as part of its regular agenda, a work programme to help the Committee reach a common understanding on the meaning of certain provisions of the Agreement formulated in vague terms (LIC/M/11, paragraphs 29-34). Discussions concerning the work programme appear in LIC/M/12, paragraphs 20-27; LIC/M/13, paragraphs 3-16; LIC/M/14/Rev.1, paragraphs 24-32; LIC/M/15, paragraphs 17-30; LIC/M/16, paragraphs 16-18; LIC/M/17, paragraphs 17-27. Recommendations adopted by the Committee on the application of Articles 1.4, 1.6, 3(c), 3(d), 3(e) and 3(g) of the Agreement are contained in LIC/12; statements made at the time of adoption of these recommendations are contained in LIC/M/18.

The question of the definition of "import licensing" under Article 1.1 has been discussed on a number of occasions (see LIC/M/14/Rev.1, LIC/M/15, LIC/M/16, LIC/M/17).

At its sixteenth and seventeenth meetings, the Committee discussed the relationship between its work and the Uruguay Round. It was agreed to keep this item on the Committee's agenda (see LIC/M/16, LIC/M/17).

7. CONSULTATION AND DISPUTE SETTLEMENT

Procedures

Article 4 paragraph 2 provides that "consultations and the settlement of disputes with respect to any matter affecting the operation of this Agreement, shall be subject to the procedures of Articles XXIII of the GATT". Statements made on the interpretation of this provision are referred to in LIC/M/1, paragraph 7.

LIC/W/37 of 14 August 1987 contains a communication from the United States requesting the establishment of a Panel under Article 4.2 of the Agreement, concerning India's import licensing régime on almonds.

Panelists

At the second meeting of the Committee on Import Licensing held on 29 April 1980, the Chairman noted that a number of delegations had designated persons to be available to serve on panels and that, as had been agreed at the first meeting, any such notifications were being made without prejudice to any decision that the Committee might take as to the appropriate mechanism to be used for dispute settlement (LIC/M/1, paragraph 7 and LIC/M/2, paragraph 26).

The following list of names of persons available to serve on panels has been communicated to the Committee:

- Chile: Mr. F. Morales
- European Economic Community
  - Belgium: Mr. J.D. Devadder
  - Denmark: Mr. O. Bruun-Pedersen
  - France: Mr. Garapon
  - Italy: Mr. S. Fanella
  - Netherlands: Mr. F. Weiss
  - United Kingdom: Mr. H.C. Greenwood, Mr. W.M. Mckinnon
- Finland: Mrs B. Widing
- Hong Kong: Mr. A. Woo
- India: Mr. A. Ramachandran, Shri Takhat Ram
The delegation of New Zealand has informed the Committee that it will indicate the names of experts available to serve on panels in the near future.

The delegations of Austria and Switzerland have indicated that they are in principle prepared to secure experts for panels. Should the participation of their experts in a specific panel be required, their authorities would then upon request endeavour to make available an appropriate person.

8. FINAL PROVISIONS

Accession and Withdrawal

Procedures for Accession of Non-Contracting Parties were discussed in the third, fourth and fifth meetings of the Committee (see LIC/M/3, 4 and 5). A proposal is before the Committee (LIC/M/3, paragraphs 7 and 8 Annex).

Withdrawal

No signatory has withdrawn from the Agreement in the period under review.

Reservations, Amendments, and Non-Application

No signatory has entered a reservation under Article 5.2.

No amendments to the Agreement have been made under Article 5.6.

Article 5.8 providing for non-application of the Agreement between signatories has not been invoked by any of the signatories.