

GENERAL AGREEMENT ON TARIFFS AND TRADE

ACCORD GENERAL SUR LES TARIFS DOUANIERS ET LE COMMERCE

ACUERDO GENERAL SOBRE ARANCELES ADUANEROS Y COMERCIO

RESTRICTED

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REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

Republic of Korea

Addendum

The attached notification¹ has been received from the delegation of the Republic of Korea in response to the questionnaire on import licensing procedures annexed to L/5640/Rev.8. The notification updates and replaces information previously provided in documents L/5436 and Suppl.1.

REPONSES AU QUESTIONNAIRE RELATIF AUX PROCEDURES
EN MATIERE DE LICENCES D'IMPORTATION

République de Corée

Addendum

La délégation de la République de Corée a fait parvenir au secrétariat la notification ci-après¹, en réponse au questionnaire relatif aux procédures en matière de licences d'importation annexé au document L/5640/Rev.8. Cette notification met à jour et remplace les renseignements donnés dans les documents L/5436 et Suppl.1.

RESPUESTAS AL CUESTIONARIO RELATIVO A LOS PROCEDIMIENTOS
PARA EL TRAMITE DE LICENCIAS DE IMPORTACION

República de Corea

Addendum

Se ha recibido de la delegación de la República de Corea la notificación adjunta¹ en respuesta al cuestionario relativo a los procedimientos para el trámite de licencias de importación, anexo al documento L/5640/Rev.8. Con esta notificación queda actualizada y sustituida la información anteriormente facilitada en los documentos L/5436 y Suppl.1.

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Outline of systems

1. In order to import commodities, an import licence is necessary. Usually, the licence is issued automatically on request from a foreign exchange bank (automatic-approval items). But in case of certain commodities, an import recommendation is necessary before a bank issues a licence.

Purpose and coverage of licensing

2. All commodities are classified into two groups, namely, the automatic-approval items and the import-restricted items. The automatic-approval items can be imported freely by obtaining an import licence which is issued automatically. This group includes most of the import commodities.

On the other hand, in order to import the restricted items a recommendation from a designated government agency or business organization is necessary. Most of these items are products of the agricultural or fishing sectors, small and medium industries and infant industries.

Some of the restricted items cannot be imported, i.e. those which are harmful to public health, public order, social customs, culture and national security.

3. The system applies to goods originating in and coming from any country.

4. The licensing for the automatic-approval items is not intended to restrict or regulate foreign trade but is intended to serve as a means of monitoring foreign trade trends and maintaining foreign trade statistics.

The objectives of the licensing system for the restricted items are, in addition to those for the automatic-approval items, to contribute to the development of national economy by protecting certain industrial sectors and promote the sound development of foreign trade by maintaining the equilibrium of the balance of payments.

5. The licensing is authorized and carried out under the Foreign Trade Transactions Act, the Enforcement Decree of the Foreign Trade Transaction Act, the Foreign Trade Management Regulation and the annual Export-Import Notice. The licensing is statutorily required. The legislation leaves the decision to administrative discretion whether each product should be classified as an automatic-approval item or import-restricted item. It is not possible for the government to abolish the licensing system without legislative approval.

Procedures

6. There is no quota system in Korea but some industrial raw materials or goods for certain uses can be imported by the actual user only.
7. (a) There is no restriction regarding the time of the licence application.
(b) A licence is granted immediately on request.
(c) None.
(d) Consideration of the licence application can be effected by any foreign exchange bank (no other approval is required).
8. An application for a licence cannot be refused if it satisfies the established criteria.

Eligibility of importers to apply for licence

9. (a) Any person or firm intending to engage in the business of foreign trade should obtain permission from the governor of a province.
(b) The criteria for granting permission are prescribed by a presidential decree.
(c) The applicant should attach a revenue stamp for 10,000 won (about US\$13) to the application document as fee. The Minister of Commerce and Industry announces the list of authorized foreign traders by the end of January each year.

Documentational and other requirements for application of licence

10. The importer is required to supply an offer sheet or a copy of the contract, a copy of the import recommendation (in the case of import-restricted items), and other necessary documents.
11. In the case of actual importation, the documents required may include the import declaration, import licence, commercial invoice, bill of lading and other necessary documents.
12. None.
13. None.

Conditions of licensing

14. The period of validity of the licence is 12 months and can be extended on request.

15. There is no penalty for the non-utilization of a licence.

16. Not transferable.

17. None.

Other procedural requirements

18. None.

19. Foreign exchange is provided automatically for goods to be imported and a licence is not necessary.