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BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

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BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

MASTER LIST & ROUNDTABLE DISCUSSIONS

MASTER LIST JUNE 30, 2014; ROUNDTABLE DISCUSSIONS
JULY 7-10 2014; DATA COLLECTION TO BE COMPLETED
SEPTEMBER 2014.

USAID TRADE RELATED ASSISTANCE FOR DEVELOPMENT
(TRADE)

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ABBREVIATIONS

AEC	ASEAN Economic Community
AEO	Authorized Economic Operators
AIM	Asian Institute of Management
AmCham	American Chamber of Commerce, Philippines
AOCG	Assessment and Operations Coordinating Group
ASEAN	Association of Southeast Asian Nations
BAI	Bureau of Animal Industry
BETP	Bureau of Export Trade Promotion (under DTI)
BFAR	Bureau of Fisheries and Aquatic Resources
BIR	Bureau of Internal Revenue
BIS	Bureau of Import Services (under DTI)
BOC	Bureau of Customs

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I. EXECUTIVE SUMMARY

In response to a request from the Philippines Bureau of Customs (BOC) Commissioner, and through the USAID Trade Related Assistance for Development (TRADE) Project a working group was put together with participants from the BOC and the TRADE Project to compile a master list of Government 'Trade-related' Regulatory Departments/Agencies (TRGAs); their requirements relating to the importation/exportation of goods; and the legal reference for these requirements.

THE PRIMARY OBJECTIVES OF THIS EFFORT WERE AS FOLLOWS:

- Identify all trade-related GPH regulatory agencies with import/export licensing requirements.
- Compile all relevant information about import procedures in a manner that will allow Traders to easily access information relating to these requirements.
- Establish a mechanism for validation and updating of any TRGA amendments or new regulatory requirements as required.
- Clarify all TRGA requirements and necessary control documents and identify specific instructions for BOC front line officers regarding compliance control at the time of import/export.
- Improve trade facilitation. The USAID TRADE Project's counterparts have a collective interest in establishing a master list of import licensing requirements; application/renewal procedures, lead time; and fees in order to enhance trade facilitation. The GPH has commitments under the WTO General Agreement on Tariffs and Trade (GATT) 1994, specifically the Agreement on Import Licensing Procedures to:
 - Recognize that the flow of international trade could be impeded by the inappropriate use of import licensing procedures;
 - Simplify, and bring transparency to, the administrative procedures and practices used in international trade, and to ensure the fair and equitable application and administration of such procedures and practices; and
 - Ensure non-automatic licensing procedures are no more administratively burdensome than absolutely necessary to administer the relevant measure;

Furthermore, the GPH is obliged under the ASEAN Economic Community Blueprint to establish a Philippine National Trade Repository (PNTR) that would lead the way to establishment of an ASEAN Trade Repository, that would provide information to traders on, among other things, various trade import regulatory requirements. This work with TRGAs thus serves to assemble the information that would be needed to establish the PNTR.

THE BOC-TRADE WORKING GROUP REVIEWED THE FOLLOWING SOURCES:

- BOC current/historical database;
- Relative TRGA website;
- PowerPoint Presentations of the TRGAs;
- Philippine Customs Rules and Regulations as produced by CD Asia; and
- WTO Committee on Import Licensing notifications by Philippines February 2014.

METHODOLOGY

The TRADE Project team consisted of a STTA international advisor, and a TRADE project research and project management specialist. Based on the initial review of BOC data, the team compiled a list of TRGAs and contact information. A total of 51 Government departments, agencies and offices (Appendix E) with mandates to control goods subject to import/export were initially identified. Once it became apparent that the number of TRGAs was greater than the 40 that had initially been reported by the BOC and that the data collection and analysis required was more complex than initially thought, the project enlisted the additional services of three graduate interns to assist in conducting research for each of the TRGAs in order to develop a baseline data worksheet. In order to facilitate this effort, an official letter of request for information was prepared by the project and issued by the BoC Commissioner on June 6, 2014. An instrument for the collection of additional data, in the form of a questionnaire, was subsequently developed by the TRADE project and emailed to the contact person at each of the TRGAs. This was completed by the TRGA and then brought to the Roundtable for presentation to the BOC

TRGA BASELINE DATA WORKSHEETS

The information requested by the BOC (through the project) included the following:

- Commodities – product names and HS Tariff Codes subject to licensing procedures;
- TRGAs import procedures;
- Legal foundation: laws, regulations and government issuances;
- Samples of documentary requirements;
- Time required to process import documents;
- Fees; and
- Instructions to the BOC for verifying compliance with these TRGA regulatory requirements (including import license/permit/certificate verification by Customs for the clearance of regulated goods).

The baseline data worksheet was prepared by the TRADE project team and was included with the BOC Commissioner's letter of request for the information to facilitate completion and validation.

BOC-TRGA ROUNDTABLE DISCUSSIONS

The Project, on behalf of the BOC, organized and conducted a series of RTDs between July 7 and July 10, 2014. TRGAs were grouped according to criteria developed by the BOC in accordance with their priorities (for example, this included criteria related to the commodity/HS Tariff code, overlapping jurisdictions, etc) and were asked to present their specific requirements and be prepared to discuss issues relating to compliance at time of import/export. The Roundtables were facilitated by the project and hosted and moderated by the BOC. Technical experts from Customs participated as panelists to ask questions, resolve existing difficulties and request clarifications.

RTD Key Discussion Items

- Trade-related Regulatory Government Agency (TRGA) presentation of the goods subject to regulatory requirements; documentary requirements for import/export; and instructions to BOC.
- Completion of TRGA specific Data Worksheet (those that were incomplete at the conclusion of the RTD must be submitted by September 1, 2014).
- Validation instrument – memorandum of understanding. Legal validation of TRGA documentary requirements and related instructions to the BOC with respect to verification at the time of import/export is required by the BOC prior to being posted on the BOC website. This will ensure that the information is accurate and up to date and that importers can rely on this information. The validation instrument between TRGA and BOC will establish that Importers and Exporters who rely on posted TRGA regulatory requirements shall not be subject to penalties for adhering to incorrect requirements or for failing to meet requirements that are not posted.
- Mechanism for updating requirements and for the notification of changes or amendments.

Issues identified during the BOC-TRGA roundtable discussions included the following:

- There is a strong need for a central database for the publication and for making available trade related regulatory requirements in a manner that is easily accessible to traders. Currently, government regulatory information is difficult for traders to locate and is often presented in an unclear or overly complex format. Most TRGA websites are not easily navigated by users.
- Each TRGA has a registration or accreditation procedure requiring the same information and supporting documents from the trader.
- Many TRGA requirements were unknown to the BOC or completely outdated.
- TRGA requirements are complex, unclear and in some cases irrelevant.
- The National Single Window (NSW) is no longer functioning effectively. Most TRGAs have reverted to manually capturing information by way of permit, license or similar document.

- The TRGAs have requirements that overlap with those of other agencies. For example, the Sugar Regulatory Authority regulates imports and exports of “pre-mixed” products containing over 85% sugar or molasses; yet the FDA also regulates food supplements regardless of sugar content which can be classified under the same tariff heading. The FDA’s mandate to regulate food and drugs for the protection of health and safety is pursuant to Philippine law (Republic Act), whereas the SRA’s mandate, while also grounded in protection of health, derives its legal basis from an executive issuance. The redundant procedures are burdensome and may be considered non-tariff barriers to trade.
- There are TRGA requirements for licenses/certificates/permits that are directly related to the end use of the goods. For example, in the case of pesticides, FDA requires importers to obtain a certificate of product registration when pesticides are imported for household use, and FPA requires an import license for pesticides for use in agriculture. End use requirements are very difficult to administer post-entry.
- The BOC is concerned that fraudulent licenses/permits/certificates are presented to Customs at the time of import/export. Clear instructions are required for Customs frontliners to verify and detect fraud.

RECOMMENDED NEXT STEPS

- Consolidation and centralization of authority to one government agency for establishing and maintaining import and export control lists and issuing import and export permits. This legislated authority should also outline offences, penalties, BOC officers’ duties and the application of powers under Customs law. In addition, there should be authority under this legislation to establish regulations pertaining to the administration of such legislation.
- Simplification and harmonization of import and export regulatory control is required. The TRADE project could assist the GPH to determine whether some TRGA requirements are non-tariff barriers to trade.
- Harmonization of import and export permits is required for BOC permit verification to be possible. BOC must be able to verify the following: a transaction number; the effective and expiry dates of permit; that the importer’s name on a release request matches the one on permit; the permit quantity, value shipped and description with and accompanying invoice; and that the country of origin on the release request matches the one on the permit.
- A universal registration should be established wherein the ‘tombstone’ data of an importer could be captured in a central manner to reduce the burden on traders to provide the same information to different government regulatory agencies for the purpose of importing or exporting the same goods;
- The National Single Window (NSW) should be made fully operational and problems therein properly addressed;
- Further consultations should take place between BOC and TRGAs that regulate the same goods with end use requirements to establish clear instructions for Customs front liners to verify (although consideration should be given to whether or not these requirements can effectively be administered post-entry); and
- Further consultation between BOC and TRGAs may be required to develop a risk-based approach to the verification of documentary requirements.

A. BACKGROUND

THE USAID TRADE PROJECT

The Trade-Related Assistance for Development (TRADE) project is an important USAID activity under the broader Partnership for Growth (PFG), a White House signature initiative that elevates bilateral engagement between the Government of the Philippines and the U.S. Government to address the most serious constraints to economic growth and development in the Philippines. The TRADE Project is intended to contribute to higher and inclusive growth by supporting reform measures to advance the country's commitments under the World Trade Organization, Association of Southeast Asian Nations (ASEAN) Economic Community (AEC) Blueprint, which outlines concrete targets for establishing a single market and production base in the ASEAN region by 2015, and improve Philippine readiness to join other free trade agreements such as the Trans-Pacific Partnership (TPP) Agreement. This is a four-year project with an option to extend to a fifth year. The project began on May 10, 2013.

The project works with the Government of the Philippines (GPH) trade-related offices including the Department of Trade and Industry (DTI), National Economic and Development Authority (NEDA), Department of Finance (DOF), Bureau of Customs (BOC), Department of Justice's Office of Competition, National Competitiveness Council (NCC), and other relevant trade-related agencies. The project consists of four components. An important focus for the project's Component Two is improving trade facilitation and supporting the BOC and other border-control agencies adopt and implement world-class trade facilitation measures.

Publication and availability of information relating to trade including import and export rules and procedures of importation, exportation and transit procedures and required forms and documents are high level indicator of trade facilitation.

THE BOC-TRGA REQUIREMENTS MASTER LIST ACTIVITY

At the request of the BOC Commissioner, the USAID TRADE project is providing assistance to the BOC in an undertaking to identify all of the requirements of other government departments and agencies with respect to the importation of goods. The purpose of the activity is to attempt to centralize this information in a 'user-friendly' format that will allow importers to clearly establish the requirements that must be met in order to complete the importation of the goods. In addition, the project has requested that instructions to custom officials with respect to what is expected of them in the execution of their responsibilities be included to ensure compliance with all trade regulatory government agencies (TRGAs).

In cooperation with the BOC, the USAID TRADE Project facilitated four (4) Roundtable Discussions sessions held between July 7 to July 10 2014 at the AIM Conference Center to meet the following objectives:

- Introduce the BOC undertaking to validate information in a manner that is transparent and that serves to inform the public of the effort;
- Ensure that the information gathered is the most current and the most comprehensive;
- Where gaps or inaccuracies are discovered, complete this task in a timely fashion; and
- Provide an opportunity for full consultation with all stakeholders.

International Practice Regarding Export and Import Control

The approach to foreign trade policy is generally taken from a comprehensive view. Coherence and consistency among trade and other economic policies is important for maximizing the contribution of such policies to economic growth and national development. Thus, there is a growing trend among nations to take an integrated approach to the overall development of the country's foreign trade policy. This includes the centralization of legislative authority to establish export and import control lists of goods and technologies and maintain these lists and relevant legal bases supporting such policies that are administered by one government administrative agency. This includes issuance of import permits and responsibility for transparency of government foreign trade policy, directives and guidelines to the public.

In the Philippines, however, there is no single government administrative agency with a comprehensive mandate to establish import and export control lists. Consequently, as the BOC is mandated the responsibility to enforce the import and export controls the activity to compile such master lists were necessary. According to the sources examined for the purposes of this activity, import and export control may be administered by as many as 51 regulating government departments, agencies or offices.

International Commitments

Import licensing procedures are governed by the WTO Agreement on Import Licensing Procedures. The Agreement defines import licensing as **all administrative procedures used for the operation of import licensing regimes** requiring the submission of an application or other documentation (other than that required for customs purposes) to the relevant administrative body **as a prior condition for importation into the customs territory** of the importing Member of the World Trade Organization.

The WTO Agreement on Import Licensing Procedures says import licensing should be simple, transparent and predictable so as not to become an obstacle to trade. For example, the agreement requires governments to publish sufficient information for traders to know how and why the licenses are granted. It also describes how countries should notify the WTO when they introduce new import licensing procedures or change existing procedures.

Pursuant to Articles 1.4(a) and/or 8.2(b) of the Agreement and procedures agreed by the Committee, all Members are required, upon membership to the WTO, to notify the sources of the information pertaining to their laws, regulations and administrative procedures relevant to import licensing. Any subsequent changes to these laws, regulations and administrative procedures are also required to be published and notified.

The Philippines delegation submitted notification to the WTO under Articles 1.4(a) and 8.2(b) on 29 January 2014. Under Article 1.4(A), the communication identifies the sources in which information relevant to import licensing is published (full text attached):

- 1. Official Gazette of the Philippines**
- 2. Annual reports of the Bangko Sentral ng Pilipinas**
- 3. Circulars of the Bangko Sentral ng Pilipinas**
- 4. Newspapers of national circulation**

Under Article 8.2(b) laws, regulations/administrative orders, the communication listed the following :

- 1. Agriculture and agricultural products**
- 2. Animals and animal products**
- 3. Dangerous drugs and controlled precursors and essential chemicals**
- 4. Energy**
- 5. Environment and natural resource products**
- 6. Fertilizer and pesticide**
- 7. Firearms, explosives ad related products**
- 8. Food and drug products**
- 9. Motor vehicle, parts and components**
- 10. Oil and petroleum products**
- 11. Plants and plant products**
- 12. Products under mandatory certification**
- 13. Radioactive materials**
- 14. Radio equipment**
- 15. Rice**
- 16. Shipping**
- 17. Vehicles, trucks and buses.**

Accuracy of the notifications submitted by the Philippines delegation is unsubstantiated. In the Philippines, there is no centralized government authority to establish or maintain import or export control lists. Consequently, there is no mechanism established to ensure that importers and exporters involved in international trade has access to import and export regulatory requirements.

B. METHODOLOGY

1. REVIEW

- Establish a TRADE Project and BOC Working group:
- Review program drivers, including
 - BOC objectives and policies;
 - reports and data; and
 - TRGA websites for purpose of determining baseline data.

2. PROGRAM DESIGN

INPUTS/TARGETS:

- Identify Trade Regulatory Government Department/Agencies (TRGAs) with delegated authority to control goods for export or import.
- Establish contact with TRGAs
- Collect data required by BOC
- Facilitate BOC TRGA workshops to update and validate TRGA requirements, legal bases and streamline TRGA BOC instructions to ensure compliance with commitments to Revised Kyoto Convention and regional trade agreements.

OUTPUTS:

- Masterlist of Trade Regulatory Government Departments/Agencies (TRGAs) and legal basis (law, regulations, issuances) for BOC enforcement of TRGA requirements at time of import/export
- Updates on TRGA regulatory requirements
- Designation of appropriate contact for TRGA-BOC liaison
- BOC TRGA enforcement instructions
- Public access to information that importers and exporters may rely on for compliance with national trade related laws and regulations.

ACTIVITIES

- Establish BOC – TRADE Project working group
- Create data collection instruments:
 - BOC Commissioner Letter of Request
 - BOC/TRADE format current TRGA requirement data attached for verification/validation
 - Questionnaire to capture missing data
- Facilitate BOC engagement with TRGA – based on quality of data collection a series of BOC engagements with the 40 TRGAs may be required. BOC listed priority TRGAs to address immediately.
- TRADE Project to facilitate BOC TRGA Workshop(s) to validate data:
 - Roundtable discussion on workshop goals and instructions

- Breakout groups to validate TRGA requirements and legal basis, obtain documents and instructions to BOC for simplified compliance verification at front line.
- Tentative plans for plenary session to close workshop with presentation of instructions to BOC to simplify compliance verification at time of import/export.
- Develop Master list TRGA requirements with TRGA BOC instructions
- Publish on BOC website.

INDICATORS: (IDENTIFY INDICATORS THAT ARE OBJECTIVELY VERIFIABLE)

- Percentage of data collected by BOC-TRADE working group
- All TRGAs have verified/validated information on attached worksheet, updated any missing information and provided documentary requirements (permits, licenses, certificates);
- All TRGAs have provided enforcement instructions and liaison contact information to BOC
- All TRGAs have acknowledged receipt of invitation, accepted invitation and designated a representative(s) to participate in workshop;
- Verification & validation of data;
- Importer/Exporter easy access to TRGA requirements, legal basis and TRGA BOC instructions
- Deadlines met

3. DATA COLLECTION

DESIGN DATA COLLECTION INSTRUMENT (APPENDIX F)

COLLECT DATA:

- TRGA regulatory requirements
- Legal basis – laws, regulations, issuances
- List of regulated goods and their respective HS commodity codes
- Samples of document requirements (permits, licenses, certificates)
- TRGA instructions to BOC for simplified control/verification procedures at time of import/export of subject goods
- TRGA appointed liaison for contact regarding immediate concerns on compliance issues

FEEDBACK

- provide information to management support
- verify and validate with TRGAs

4. ANALYSIS

- Conduct Program Process Analysis – ongoing by workgroup
- Conduct key drivers analysis – TRGA specific and general
- Develop findings and recommendations – TRGA Workshop product

5. DOCUMENTATION

- Develop draft ‘master list’ TRGA requirements: legal basis, TRGA BOC operating guidelines
- Collect feedback and refine
- Present and brief on findings (as needed)

C. FINDINGS

- The Philippine import licensing system is highly complex. There is currently no mechanism in place to facilitate transparency in, and understanding of, the trade policies and practices of the government. I.e., there is no single legislation providing for the control of export or import permits or licensing requirements in the Philippines, (as is the case in many other countries) nor is there consolidation of the administration of import licensing procedures under one government administrative agency with designated mandate to issue, control, assess economic impact or audit export and import permits.
- Sources revealed as many as 51 different TRGAs with legal and delegated authority to regulated goods for export and/or import in the Philippines. This exceeds the import licensing regimes included in the Philippines notification to the WTO Committee on Import Licensing Procedures.
- TRGAs have requirements that overlap with those of other agencies. For example, the Sugar Regulatory Authority regulates imports and exports of sugar, molasses, etc. The Food and Drug Administration also regulates in the same commodities. It appears that the difference lies in whether the product is in its original form or not. In any case, both consider sugar products that are incorporated into food as being 'additives' and therefore subject to regulation by both agencies. The question arose as to which authority was superior, and it appeared that the FDA derives its authority from law (in a Republic Act) whereas the Sugar Regulatory Authority is regulating via Administrative Orders. It was determined that the TRGAs would have follow up meetings with the BOC to determine which requirements would be enforced on behalf of which institution. This was a regularly recurring theme - overlapping authority, questions as to which requirement would take precedence in the case of competing requirements, and the BOC's role in all instances.
- Each of the TRGAs seemed to have a need to initially 'register' the importer. This step seemed to be a universal requirement. It seemed obvious that a system of universal registration should be in place wherein the 'tombstone' data of an importer could be captured in a central manner.
- It became very apparent that the National Single Window (NSW) was no longer functioning effectively (or at all). Many of the TRGAs indicated that they were using the NSW at some point but due to its 'failure' they reverted to capturing information by way of permit, license or similar documentation manually. There is an obvious need for a functioning NSW, and previous experience is that the system fulfilled a real need when it was working.

- Many of the TRGAs identified requirements that were completely unknown to the BOC. In some cases it seemed obvious that the requirement was ‘outdated’ and no longer relevant. The Project challenged these TRGAs to review their requirements in order to determine if the requirement was still valid or that it is functioning in the way it was intended to. For example, the National Bureau of Investigation reported a requirement to register all importations of color duplication system. This was obviously an attempt to control devices that could be used to counterfeit however the regulation (as it is written) covers essentially all color printers. The regulation was written before color printers became so widely available. So aside from it being a requirement that seems to be virtually impossible to enforce it is highly questionable if the requirement meets the needs that it was originally intended to meet. If it truly is meant to control counterfeiting then the question is ‘how does registering the item at time of importation help to control this activity?’ The Project felt that there is a real need to conduct a ‘regulatory impact assessment’ to address these issues.
- Many of the regulatory requirements that were identified seemed to be overly complex, very unclear, irrelevant, etc. The Project felt that the ‘regulatory impact assessment’ could also help to identify which requirements are legitimate, which are essentially non-tariff barriers (NTB’s), which could have their requirements met in another manner. The Project could help to simplify the entire process.
- Several of the TRGAs identified requirements that the BOC was enforcing in a manner that seemed to exceed the original authority for the requirement. In some cases, the BOC is seizing and even forfeiting goods in accordance with the requirements and their own enforcement powers, however the TRGA indicated that they did not intend for a seizure to take place and the importer is free to simply correct the documentation.
- The Project Advisor to this effort determined that the majority of the TRGAs that have import requirements are unaware of the need to ‘notify’ the WTO with respect to these import process requirements. There is a need to put in place a system to ensure that the requirement meets certain criteria (as determined by the GPH) and that it is not considered to be a NTB.
- The penalties and sanctions that can result from non-compliance on the part of the importer are unclear, overly punitive and sometimes (as was previously noted) not something the TRGA wants the BOC to do anyways. For example, the Central Bank indicated that it is illegal to import or export more than 10000 pesos. Customs has been seizing the excess currency and subjecting it to the forfeiture process. It turns out that this is not something the Bank wanted done. In other cases, the customs law provided for very stringent penalties for failing to meet certain requirements that either have no basis in the regulations or law governed by the TRGA. There is a real need to identify the particulars of provisions that relate to non-compliance to determine if they are appropriate in light of the offence and, if so, that these sanctions are aligned between the TRGA and the BOC.
- There appeared to be little if any consideration given to the principle that each of these requirements should be associated with an appeal process of some sort.

- Finally it was very obvious that the initiative to identify all of the import requirements of TRGAs will solve a number of problems such as: ensuring uniformity of action; identifying that a requirement exists; clearly stating to the BOC what should be done as far as meeting the requirement is concerned as well as what to do if there is non-compliance with any requirement (especially identifying the remedial course of action that must be taken); which requirements take precedence over other requirements; which TRGAs need to coordinate between themselves prior to advising the BOC and the Importing public what the requirements are; which of the requirements could be considered to be ‘non-tariff barriers’ and which could be considered as ‘non-tariff measures’. Barriers should be eliminated through deregulation and measures should be simplified. All of this material should be placed on a centralized database that is readily accessible to the importing public as well as the BOW and TRGAs. The website requirements should be complete, up-to-date, clear and binding.

D. RECOMMENDATIONS

- Simplification of export and import regulatory control is required. The TRADE project could assist the GPH to determine whether some TRGA requirements are non-tariff barriers to trade.
- Consolidation of import and export control legislation under one government agency is recommended with the legislated authority to establish various control lists, including an import control list. This legislated authority should also outline offences, penalties, BOC officers' duties and the application of powers under Customs law. In addition, there should be authority under this legislation to establish regulations pertaining to the administration of such legislation. The TRADE project could assist the GPH to determine whether some TRGA requirements are non-tariff barriers to trade.
- Simplification and the harmonization of export and import permits is required. Further consultation between BOC and TRGAs may be required to develop risk-based approach to verification of documentary requirements.
- A universal registration be established wherein the 'tombstone' data of an importer could be captured in a central manner to reduce the burden on traders to provide the same information to different government regulatory agencies for the purpose of importing or exporting the same goods;
- The problems with the National Single Window should be addressed and corrected;
- Further consultations between BOC and TRGAs that regulate the same goods with end use requirements to establish clear instructions are required to instruct Customs front liners to verify;

E. PHILIPPINE DELEGATION NOTIFICATION TO WTO COMMITTEE ON IMPORT LICENSING PROCEDURES

WORLD TRADE

ORGANIZATION

G/L/715

23 November 2004

(04-5081)

REPORT (2004) OF THE COMMITTEE ON IMPORT LICENSING TO THE COUNCIL FOR TRADE IN GOODS

1. The Agreement on Import Licensing Procedures (hereinafter "the Agreement") which entered into force on 1 January 1995, establishes disciplines on users of import licensing systems with the principal objective of ensuring that the procedures applied for granting import licences do not in themselves restrict trade. It aims to simplify, clarify and minimize the administrative requirements necessary to obtain import licences.
2. The Committee on Import Licensing was established to afford Members the opportunity of consulting on any matters relating to the operation of the Agreement or the furtherance of its objectives. The Committee's Rules of Procedure, which were approved by the Council for Trade in Goods, are contained in document G/L/147.
3. All Members of the WTO are *ipso facto* members of the Committee. Observer governments in the General Council of the WTO have Observer status in the Committee. The International Monetary Fund, the World Bank and UNCTAD have regular Observer status in the Committee.

4. The focus of this report is on the period since the Committee's last annual report (G/L/652), i.e. 3 October 2003-30 September 2004 (hereinafter "the review period"). During the review period, the Committee held two meetings on 5 May and 30 September 2004 (G/LIC/M/19 + Corr.1 and G/LIC/M/20). At its meeting on 5 May 2004, the Committee took note of the nomination of Dr. Victoria Campeanu (Romania) as Chairperson of the Committee for the current year and elected her by acclamation. At that meeting, the Committee elected as Vice-Chairperson for the current year, Dr. Dayaratna Silva (Sri Lanka). Pursuant to Committee's Rules of Procedure, they took office at the end of that meeting.

5. Pursuant to Articles 1.4(a) and/or 8.2(b) of the Agreement and procedures agreed by the Committee, all Members are required to notify their laws, regulations and administrative procedures relevant to import licensing and submit copies of any relevant publications or laws and regulations upon becoming a WTO Member. Any subsequent changes to these laws, regulations and administrative procedures are also required to be notified. Since the entry into force of the WTO Agreement, 90 Members¹ have notified the Committee of their legislation and/or publications under these provisions. During the review period, the Committee received notifications from the following Members: Dominican Republic; El Salvador; Ghana; Macao, China; Mexico; Suriname; Chinese Taipei; and Zambia. These notifications may be found in document series G/LIC/N/1/-. Copies of publications and legislation submitted with these notifications are available for consultation in the Secretariat.

6. Article 7.3 of the Agreement requires all Members to provide replies to the Questionnaire on Import Licensing Procedures² by 30 September each year. Since the entry into force of the WTO Agreement, 84 Members³ have made notifications under this provision. This includes replies to the Questionnaire from 11 Members in 1995, 22 Members in 1996, 25 Members³ in 1997, 26 Members in 1998, 20 Members³ in 1999, 32 Members³ in 2000, 23 Members³ in 2001, 41 Members³ in 2002, 25 Members³ in 2003 and 16 Members in 2004. During the review period, the Committee received notifications from the following Members: Armenia; China; Colombia; Cuba; Dominican Republic; Ghana; Guatemala; Guyana; Iceland; India; Japan; Macao, China; Mexico; Panama; Saint Lucia; Singapore; Chinese Taipei; Trinidad and Tobago; and Zambia. These notifications may be found in document series G/LIC/N/3/-.

7. The Committee also received, pursuant to paragraphs 5.1-5.4 of Article 5, notifications relating to the institution of new import licensing procedures or changes in these procedures from Argentina, Australia and Chinese Taipei. These notifications may be found in document series G/LIC/N/2/-. Since the entry into force of the WTO Agreement 26 Members³ have submitted notifications under these provisions. Article 5.5 of the Agreement allows Members to submit reverse notifications, where a Member considers that another Member has not notified the institution of a licensing procedure or changes in the procedures. However, no such reverse notifications have been received under this provision since the entry into force of the Agreement.

¹ The European Communities and its member States counted as one Member.

² Annexed to document G/LIC/3.

³ The European Communities and its member States counted as one Member.

8. Written comments and questions from Members concerning the notifications submitted to the Committee and/or on import licensing procedures maintained by Members, and replies thereto, may be found in document series G/LIC/Q/-⁴. During the review period, such comments and questions were submitted by the United States to Argentina, India and Jamaica, by Australia to Indonesia, and by the United States, EC and Japan to China. During the same period responses were provided by Argentina, Brazil, China, India, Indonesia and Turkey to the United States, and by Indonesia to Australia.⁵ Statements of Members in this context, including responses given orally at the meetings, are reflected in the minutes of the meetings.

9. The Committee has provided a regular forum for the discussion of specific notifications submitted by Members. As evident in the Annex to this report, there continues to be a low level of compliance with the mandatory notification requirements under Articles 1.4(a), 8.2(b) and 7.3 and with the ad hoc notification requirement under Article 5. This low level of compliance of Members with the transparency obligations of the Agreement has been the main preoccupation of the Committee for some time now.

10. At the meetings of 5 May and 30 September, the Chair expressed continuing concern over the failure of many Members to submit the required notifications. This unsatisfactory situation with respect to compliance with the notification obligations of the Agreement seriously undermined the ability of the Committee to carry out its main function of reviewing Members' import licensing systems. The Chair informed the Committee that in order to improve the situation she held informal consultations with several delegations and, on 30 July 2004, addressed a letter to all delegations whose notifications were overdue or who had not yet provided responses to the questions posed by some Members. She also reminded Members that the Secretariat was ready to assist any Member requiring assistance in fulfilling the notification obligations of the Agreement. The Committee noted that despite the efforts of the Chair and the Secretariat, 24 Members had not, as yet, made any notification under the Agreement, nor had they informed the Secretariat of any difficulties in notifying, or of any technical assistance needs to improve their compliance. The Chair once again urged Members who had not yet notified and had not updated their notifications or provided clarifications sought by other Members to do so as soon as possible.

11. At its meeting of 30 September, the Committee conducted the third transitional review, as appropriate to its mandate, of the implementation by China of the WTO Agreement and of the related provisions of its Protocol of Accession⁶, as provided for in Paragraph 18 of the Protocol on the Accession of the People's Republic of China to the WTO (G/LIC/M/20, paragraphs 3.1-3.29). The report of the Committee to the Council for Trade in Goods on this review is contained in document G/LIC/13.

12. At the same meeting, the Committee conducted its fifth biennial review of the implementation and operation of the Agreement under Article 7.1 on the basis of a factual report prepared by the Secretariat (G/LIC/W/22 and G/LIC/12).

⁴ See understanding on Procedures for the Review of Notifications (G/LIC/4).

⁵ Pending clarifications sought from Bahrain and the United Arab Emirates in May 2004, the responses provided by them to the United States have not yet been circulated in document series G/LIC/Q/-.

⁶ WT/L/432.

ANNEX

Notifications

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Albania	Not notified	G/LIC/N/3/ALB/1 (28.1.02)	G/LIC/N/2/ALB/1 (20.2.02)
Angola	Not notified	Not notified	
Antigua & Barbuda	G/LIC/N/1/ATG/1 (8.12.01)	G/LIC/N/3/ATG/1-2 (18.12.01)	
Argentina	G/LIC/N/1/ARG/1-2 (19.12.97)	G/LIC/N/3/ARG/1-ARG/2 + Add.1 (8.2.02)	G/LIC/N/2/ARG/1-7 (13.8.04)
Armenia	G/LIC/N/1/ARM/1 (29.9.03)	G/LIC/N/3/ARM/1 + Add.1 (13.4.04)	
Australia	G/LIC/N/1/AUS/1 + Add.1 (28.4.97)	G/LIC/N/3/AUS/1/Rev.1- AUS/2 (24.5.02)	G/LIC/N/2/AUS/1 (28.5.04)
Bahrain	G/LIC/N/1/BHR/1 (27.5.97)	G/LIC/N/3/BHR/1 (5.9.00)	
Bangladesh	G/LIC/N/1/BGD/1 (31.3.00)	G/LIC/N/3/BGD/1 (31.3.00)	
Barbados	G/LIC/N/1/BRB/1 (4.10.96)	G/LIC/N/3/BRB/1-2 (8.5.02)	
Belize	Not notified	Not notified	
Benin	G/LIC/N/1/BEN/1 (18.12.96)	Not notified	
Bolivia	G/LIC/N/1/BOL/1 (29.5.97)	G/LIC/N/3/BOL/1-2 + Corr.1 & BOL/3 (20.6.00)	
Botswana	Not notified	Not notified	
Brazil	G/LIC/N/1/BRA/1 (24.4.98)	G/LIC/N/3/BRA/1-3 (23.9.03)	G/LIC/N/2/BRA/1 (24.4.98)
Brunei Darussalam	Not notified	G/LIC/N/3/BRN/1 (4.3.97)	
Bulgaria	G/LIC/N/1/BGR/1 (20.3.97)	G/LIC/N/3/BGR/1-2 (8.5.02)	
Burkina Faso	G/LIC/N/1/BFA/1 (8.1.97)	G/LIC/N/3/BFA/1+Add.1 (24.11.00)	
Burundi	G/LIC/N/1/BUR/1 (3.4.01)	G/LIC/N/3/BUR/1-2 (12.10.01)	
Cameroon	G/LIC/N/1/CMR/1 (13.7.01)	Not notified	
Canada	G/LIC/N/1/CAN/1 (29.1.96)	G/LIC/N/3/CAN/1-4 + Corr.1 (2.1.02)	
Central African Rep.	Not notified	Not notified	
Chad	G/LIC/N/1/TCO/1-2 (18.7.00)	G/LIC/N/3/TCO/1-2 (13.6.01)	
Chile	G/LIC/N/1/CHL/1 (16.7.96)	G/LIC/N/3/CHL/1 + Add.1-2 (3.2.99)	
China	G/LIC/N/1/CHN/1 & Add.1- CHN/3 (1.10.03)	G/LIC/N/3/CHN/1-2 (1.10.03) G/LIC/N/3/CHN/3 (29.9.04)	
Colombia	G/LIC/N/1/COL/1 + Add.1 (4.12.00)	G/LIC/N/3/COL/1 + Add.1-2 - COL/2 (29.7.04)	
Congo	Not notified	Not notified	
Congo, Dem Rep. of	Not notified	Not notified	
Costa Rica	G/LIC/N/1/CRI/1 (21.11.95)	G/LIC/N/3/CRI/1-3 (15.12.00)	
Côte d'Ivoire	G/LIC/N/1/CIV/1 (10.1.02)	G/LIC/N/3/CIV/1 (10.1.02)	
Croatia	G/LIC/N/1/HRV/1-2 (3.7.03)	G/LIC/N/3/HRV/1-2 (3.7.03)	
Cuba	G/LIC/N/1/CUB/1 (11.1.96)	G/LIC/N/3/CUB/1-2 + Add.1 (30.9.04)	

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Djibouti	Not notified	Not notified	
Dominica	G/LIC/N/1/DMA/1 (8.2.01)	G/LIC/N/3/DMA/1 (8.2.01)	
Dominican Rep.	G/LIC/N/1/DOM/1 (28.4.04)	G/LIC/N/3/DOM/1-2 (28.4.04)	
Ecuador	G/LIC/N/1/ECU/1 (25.10.02)	G/LIC/N/3/ECU/1 + Add.1 - ECU/2 (25.10.02)	
Egypt	Not notified	Not notified	
El Salvador	G/LIC/N/1/SLV/1 (13.1.04)	Not notified	
European Communities	G/LIC/N/1/EEC/1/Rev.2 + Add.1-2 EEC/2 + Add.1-4 (6.1.03)	G/LIC/N/3/EEC/1 + Add.1 EEC/2 + Add.1-27 EEC/3 +Add.1-26 EEC/4 + Add.1 EEC/5 + Add.1 & Add.1/Corr.1 EEC/6 + Add.1+ EEC/6/Corr.1 (30.9.03)	G/LIC/N/2/EEC/1-2 (4.7.97)
Fiji	G/LIC/N/1/FJI/1 (30.7.97)	G/LIC/N/3/FJI/1 (1.4.97)	
Gabon	G/LIC/N/1/GAB/1-2 (5.3.02)	Not notified	
Gambia	Not notified	G/LIC/N/3/GMB/1 (31.10.97)	
Georgia	G/LIC/N/1/GEO/1 (22.3.02)	G/LIC/N/3/GEO/1 (3.7.01)	
Ghana	G/LIC/N/1/GHA/1 (15.4.04)	G/LIC/N/3/GHA/1-3 (15.4.04)	
Grenada	G/LIC/N/1/GRD/1 (13.3.02)	Not notified	
Guatemala	G/LIC/N/1/GTM/1-2 (20.1.00)	G/LIC/N/3/GTM/1-2 (3.9.04)	
Guinea	Not notified	Not notified	
Guinea Bissau	Not notified	Not notified	
Guyana	G/LIC/N/1/GUY/1 (5.4.02)	G/LIC/N/3/GUY/1-2 (22.10.03)	
Haiti	G/LIC/N/1/HTI/1 (8.10.99)	G/LIC/N/3/HTI/1-2 (27.4.00)	
Honduras	G/LIC/N/1/HND/1 (31.10.96)	Not notified	
Hong Kong, China	G/LIC/N/1/HKG/1-5 (24.12.02)	G/LIC/N/3/HKG/1 + Rev.1-2, HKG/2 -HKG/3 + Corr.1 HKG/4 -7 (29.9.03)	G/LIC/N/2/HKG/1-2 (27.1.98)
Iceland	G/LIC/N/1/ISL/1 (8.1.99)	G/LIC/N/3/ISL/1-2 (5.6.00) G/LIC/N/3/ISL/3 (30.9.04)	
India	G/LIC/N/1/IND/1/Rev.1 + IND/2-6 (11.6.03)	G/LIC/N/3/IND/1-6 (9.12.03)	G/LIC/N/2/IND/1-6 (11.6.03)
Indonesia	G/LIC/N/1/IDN/1 (27.10.98)	G/LIC/N/3/IDN/1-2 (12.5.03)	G/LIC/N/2/IDN/1 (14.4.03)
Israel	Not notified	Not notified	
Jamaica	G/LIC/N/1/JAM/1 (1.7.96)	G/LIC/N/3/JAM/1+ Add.1-2 (18.9.02)	G/LIC/N/2/JAM/1 (23.9.03)
Japan	G/LIC/N/1/JPN/1-2/Rev.1 (7.1.97)	G/LIC/N/3/JPN/1 + Corr.1- JPN/3 (28.1.04)	G/LIC/N/2/JPN/1-3 (12.4.01)
Jordan	G/LIC/N/1/JOR/1-2 + Add.1 (19.8.03)	G/LIC/N/3/JOR/1 (2.10.00)	G/LIC/N/2/JOR/1 (1.12.00)
Kenya	G/LIC/N/1/KEN/1 (9.5.03)	G/LIC/N/3/KEN/1-2 + Add.1 (9.5.03)	
Korea	G/LIC/N/1/KOR/1-3 (3.4.98)	G/LIC/N/3/KOR/1-3 (16.5.02)	
Kuwait	Not notified	Not notified	
Kyrgyz Republic	G/LIC/N/1/KGZ/1 (6.1.00)	G/LIC/N/3/KGZ/1 (11.4.00)	
Lesotho	Not notified	Not notified	
Liechtenstein	G/LIC/N/1/LIE/1-2 (17.10.00)	G/LIC/N/3/LIE/1 + Add.1- LIE/4 +Add.1 (25.2.03)	G/LIC/N/2/LIE/1-2 (17.10.00)
Macao, China	G/LIC/N/1/MAC/1 + Add.1-3 – MAC/2 (16.1.04)	G/LIC/N/3/MAC/1-6 (23.2.04)	

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Macedonia, Former Yugoslav Rep. of	Not notified	Not notified	
Madagascar	G/LIC/N/1/MDG/1-2 (31.3.00)	G/LIC/N/3/MDG/1 (23.8.02)	
Malawi	G/LIC/N/1/MWI/1 (10.5.99)	G/LIC/N/3/MWI/1 + Add.1 (11.10.02)	
Malaysia	Not notified	G/LIC/N/3/MYS/1 (4.12.97)	G/LIC/N/2/MYS/1-2 (21.7.99)
Maldives	Not notified	G/LIC/N/3/MDV/1 (21.3.02)	
Mali	G/LIC/N/1/MLI/1 (23.7.01)	G/LIC/N/3/MLI/1-2 (23.7.01)	
Mauritania	Not notified	Not notified	
Mauritius	G/LIC/N/1/MUS/1 + Add.1-3 (4.5.98)	G/LIC/N/3/MUS/1-2 + Corr.1 (24.5.02)	
Mexico	G/LIC/N/1/MEX/1 (29.9.04)	G/LIC/N/3/MEX/1 (29.9.04)	G/LIC/N/2/MEX/1 (16.10.98)
Moldova	G/LIC/N/1/MDA/1 (9.1.02)	G/LIC/N/3/MDA/1 (30.1.02)	
Mongolia	Not notified	G/LIC/N/3/MNG/1 (15.5.03)	
Morocco	G/LIC/N/1/MAR/1+Add.1 (25.3.03)	G/LIC/N/3/MAR/1-2 + Add.1- MAR/3 (25.3.03)	
Mozambique	Not notified	Not notified	
Myanmar	Not notified	Not notified	
Namibia	G/LIC/N/1/NAM/1 (8.10.02)	G/LIC/N/3/NAM/1-4 (8.10.02)	
Nepal	Not notified	Not notified	
New Zealand	G/LIC/N/1/NZL/1 (2.8.96)	G/LIC/N/3/NZL/1 + Add.1 (24.3.98)	
Nicaragua	G/LIC/N/1/NIC/1 (18.7.96)	Not notified	
Niger	G/LIC/N/1/NER/1 (10.12.97)	Not notified	
Nigeria	G/LIC/N/1/NGA/1 (16.2.98)	G/LIC/N/3/NGA/1-2 (16.2.98)	G/LIC/N/2/NGA/1-2 (16.2.98)
Norway	G/LIC/N/1/NOR/1-2 (3.11.97)	G/LIC/N/3/NOR/1 + Corr.1- NOR/2 + Add.1-2 (7.4.00)	
Oman	G/LIC/N/1/OMN/1 (9.1.01)	G/LIC/N/3/OMN/1 + Add.1 (9.4.03)	
Pakistan	G/LIC/N/1/PAK/1 (6.5.96)	Not notified	G/LIC/N/2/PAK/1 (6.5.96)
Panama	G/LIC/N/1/PAN/1-2 (19.10.98)	G/LIC/N/3/PAN/1-2 (2.3.04)	G/LIC/N/2/PAN/1 (21.7.98)
Papua New Guinea	Not notified	Not notified	G/LIC/N/2/PNG/1 (6.2.98)
Paraguay	G/LIC/N/1/PRY/1 (21.5.03)	Not notified	
Peru	G/LIC/N/1/PER/1 (13.2.96)	G/LIC/N/3/PER/1-2 + Add.1 (4.10.99)	
Philippines	G/LIC/N/1/PHL/1 (6.4.98)	G/LIC/N/3/PHL/1-4 + Add.1 (29.9.03)	
Qatar	G/LIC/N/1/QAT/1 (24.3.98)	G/LIC/N/3/QAT/1 (24.3.98)	
Romania	G/LIC/N/1/ROM/1-2 (1.3.99)	G/LIC/N/3/ROM/1-2 +Add.1 (12.12.00)	G/LIC/N/2/ROM/1-3 (4.2.02)
Rwanda	Not notified	Not notified	
Saint Kitts & Nevis	G/LIC/N/1/KNA/1 (17.7.98)	Not notified	
Saint Lucia	G/LIC/N/1/LCA/1 (14.10.02)	G/LIC/N/3/LCA/1-2 (30.8.04)	G/LIC/N/2/LCA/1-2 (14.10.02)
Saint Vincent & Grenadines	Not notified	Not notified	
Senegal	G/LIC/N/1/SEN/1 (14.10.02)	G/LIC/N/3/SEN/1-2 (14.10.02)	

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Sierra Leone	Not notified	Not notified	
Singapore	G/LIC/N/1/SGP/1-3 (23.2.00)	G/LIC/N/3/SGP/1-4 (5.11.03)	G/LIC/N/2/SGP/1-2 (23.2.00)
Solomon Islands	Not notified	Not notified	
South Africa	Not notified	G/LIC/N/3/ZAF/1-3 + ZAF/4 (11.9.02)	G/LIC/N/2/ZAF/1 (9.7.97)
Sri Lanka	G/LIC/N/1/LKA/1 (5.5.03)	G/LIC/N/3/LKA/1 (5.5.03)	
Suriname	G/LIC/N/1/SUR/1 (10.12.03)	Not notified	
Swaziland	G/LIC/N/1/SWZ/1 (19.8.96)	Not notified	
Switzerland	G/LIC/N/1/CHE/1-2 (21.9.00)	G/LIC/N/3/CHE/1-4 + Add.1 (21.2.03)	G/LIC/N/2/CHE/1-2 (21.9.00)
Chinese Taipei	G/LIC/N/1/TPKM/1-3/Rev.1 + TPKM/4 (21.6.04)	G/LIC/N/3/TPKM/1/Rev.1- TPKM/2 (21.6.04)	G/LIC/N/2/TPKM/1-2 (21.10.03)
Tanzania	Not notified	Not notified	
Thailand	Not notified	Not notified	
Togo	G/LIC/N/1/TGO/1 (8.5.03)	G/LIC/N/3/TGO/1 (8.5.03)	
Trinidad & Tobago	G/LIC/N/1/TTO/1 (28.10.98)	G/LIC/N/3/TTO/1-4 (30.7.04)	
Tunisia	G/LIC/N/1/TUN/1 + Add.1 (21.1.99)	G/LIC/N/3/TUN/1-3 + Add.1-3 (21.10.02)	
Turkey	G/LIC/N/1/TUR/1, TUR/2/Rev.1-TUR/4 (22.9.03)	G/LIC/N/3/TUR/1-5 (22.9.03)	
Uganda	G/LIC/N/1/UGA/1 (16.8.96)	G/LIC/N/3/UGA/1+ Add.1 (8.11.00)	
United Arab Emirates	G/LIC/N/1/ARE/1 (19.3.97)	G/LIC/N/3/ARE/1 (11.4.00)	
United States	G/LIC/N/1/USA/1 + Rev.1- USA/2 (28.4.03)	G/LIC/N/3/USA/1-3 (6.11.00)	G/LIC/N/2/USA/1 (28.4.03)
Uruguay	G/LIC/N/1/URY/1-3 (17.9.01)	G/LIC/N/3/URY/1 + Add.1- URY/2/Rev.1 (21.10.02)	
Venezuela	G/LIC/N/1/VEN/1 (12.10.02)	G/LIC/N/3/VEN/1 + Corr.1-2 (8.11.02)	G/LIC/N/2/VEN/1-5 (16.5.03)
Zambia	G/LIC/N/1/ZMB/1-2 (10.2.04)	G/LIC/N/3/ZMB/1-2 (10.2.04)	
Zimbabwe	G/LIC/N/1/ZWE/1-2 (21.9.98)	G/LIC/N/3/ZWE/1+Add.1-2 (15.2.01)	
TOTAL MEMBERS =122 ⁷	90 ⁷	84 ⁷	26 ⁷

⁷ The European Communities and its member States counted as one Member.

WORLD TRADE ORGANIZATION

G/L/753

2 November 2005

(05-5154)

REPORT (2005) OF THE COMMITTEE ON IMPORT LICENSING TO THE COUNCIL FOR TRADE IN GOODS

1. The Agreement on Import Licensing Procedures (hereinafter "the Agreement") which entered into force on 1 January 1995, establishes disciplines on users of import licensing systems with the principal objective of ensuring that the procedures applied for granting import licences do not in themselves restrict trade. It aims to simplify, clarify and minimize the administrative requirements necessary to obtain import licences.
2. The Committee on Import Licensing was established to afford Members the opportunity of consulting on any matters relating to the operation of the Agreement or the furtherance of its objectives. The Committee's Rules of Procedure, which were approved by the Council for Trade in Goods, are contained in document G/L/147.
3. All Members of the WTO are *ipso facto* members of the Committee. Observer governments in the General Council of the WTO have Observer status in the Committee. The International Monetary Fund, the World Bank and UNCTAD have regular Observer status in the Committee.
4. The focus of this report is on the period since the Committee's last annual report (G/L/715), i.e. 1 October 2004-28 September 2005 (hereinafter "the review period"). During the review period, the Committee held two meetings on 15 June and 28 September 2005 (G/LIC/M/21 and G/LIC/M/22). At its meeting on 15 June 2005, the Committee took note of the nomination of Ms. Pamela Cooper (Canada) as Chairperson of the Committee for the current year and elected her by acclamation. At that meeting, the Committee elected as Vice-Chairperson for the current year, Mr. Peter Govindasamy (Singapore). Pursuant to Committee's Rules of Procedure, they took office at the end of that meeting.

5. Pursuant to Articles 1.4(a) and/or 8.2(b) of the Agreement and procedures agreed by the Committee, all Members are required to notify their laws, regulations and administrative procedures relevant to import licensing and submit copies of any relevant publications or laws and regulations upon becoming a WTO Member. Any subsequent changes to these laws, regulations and administrative procedures are also required to be notified. Since the entry into force of the WTO Agreement, 91 Members⁸ have notified the Committee of their legislation and/or publications under these provisions. During the review period, the Committee received notifications from the following Members: Bangladesh, Brazil, China, Croatia, Ecuador, India, Macedonia, Morocco, Peru, Romania and Chinese Taipei. These notifications may be found in document series G/LIC/N/1/-. Copies of publications and legislation submitted with these notifications are available for consultation in the Secretariat.

6. Article 7.3 of the Agreement requires all Members to provide replies to the Questionnaire on Import Licensing Procedures⁹ by 30 September each year. Since the entry into force of the WTO Agreement, 85 Members¹ have made notifications under this provision. This includes replies to the Questionnaire from 11 Members in 1995, 22 Members in 1996, 25 Members¹ in 1997, 26 Members in 1998, 20 Members¹ in 1999, 32 Members¹ in 2000, 23 Members¹ in 2001, 41 Members¹ in 2002, 25 Members¹⁰ in 2003, 21 Members in 2004 and 18 Members in 2005. During the review period, the Committee received notifications from the following Members: Armenia, Bangladesh; Brazil; Cameroon; China; Croatia; Georgia; Hong Kong, China; India; Korea; Macao, China; Madagascar; Morocco; Oman; Peru; Qatar; Saint Lucia; Tunisia and Uruguay. These notifications may be found in document series G/LIC/N/3/-.

7. The Committee also received, pursuant to paragraphs 5.1-5.4 of Article 5, notifications relating to the institution of new import licensing procedures or changes in these procedures from Brazil, India, Jordan, Chinese Taipei, Romania and the United States. These notifications may be found in document series G/LIC/N/2/-. Since the entry into force of the WTO Agreement 26 Members³ have submitted notifications under these provisions. Article 5.5 of the Agreement allows Members to submit reverse notifications, where a Member considers that another Member has not notified the institution of a licensing procedure or changes in the procedures. However, no such reverse notifications have been received under this provision since the entry into force of the Agreement.

8. Written comments and questions from Members concerning the notifications submitted to the Committee and/or on import licensing procedures maintained by Members, and replies thereto, may be found in document series G/LIC/Q/-¹¹. During the review period, such comments and questions were submitted by the United States to Brazil (G/LIC/Q/BRA/3), China (G/LIC/Q/CHN/15 and G/LIC/Q/CHN/16), the European Communities (G/LIC/Q/EEC/3) and Turkey (G/LIC/Q/TUR/3) and by the European Communities to China (G/LIC/Q/CHN/17) while responses were provided by Bahrain (G/LIC/Q/BHR/2) and Jamaica (G/LIC/Q/JAM/2) to the United States. During the same period, the Committee heard concerns regarding certain import licensing procedures applicable in Guatemala, Indonesia and Venezuela, and the absence of or delays in

⁸ The European Communities and its member States counted as one Member.

⁹ Annexed to document G/LIC/3.

¹⁰ The European Communities and its member States counted as one Member.

¹¹ See understanding on Procedures for the Review of Notifications (G/LIC/4).

notifications relating to import licensing regimes maintained by Belize, Colombia, Malaysia and Thailand. Statements of Members in this context, including responses given orally at the meetings, are reflected in the minutes of the meetings.

9. The Committee has provided a regular forum for the discussion of specific notifications submitted by Members. As evident in the Annex to this report, there continues to be a low level of compliance with the mandatory notification requirements under Articles 1.4(a), 8.2(b) and 7.3 and with the ad hoc notification requirement under Article 5. This low level of compliance of Members with the transparency obligations of the Agreement has been the main preoccupation of the Committee for some time now.

10. At its meetings of 15 June and 28 September, the Chair expressed continuing concern over the failure of many Members to submit the required notifications and once again urged Members who had not yet notified and had not updated their notifications or provided clarifications sought by other Members to do so as soon as possible.

11. At its meeting of 28 September, the Committee conducted the fourth transitional review, as appropriate to its mandate, of the implementation by China of the WTO Agreement and of the related provisions of its Protocol of Accession¹², as provided for in Paragraph 18 of the Protocol on the Accession of the People's Republic of China to the WTO (G/LIC/M/22, paragraphs 3.1-3.20). The report of the Committee to the Council for Trade in Goods on this review is contained in document G/LIC/14.

¹² WT/L/432.

ANNEX

Notifications

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Albania	Not notified	G/LIC/N/3/ALB/1 (28.1.02)	G/LIC/N/2/ALB/1 (20.2.02)
Angola	Not notified	Not notified	
Antigua & Barbuda	G/LIC/N/1/ATG/1 (8.12.01)	G/LIC/N/3/ATG/1-2 (18.12.01)	
Argentina	G/LIC/N/1/ARG/1-2 (19.12.97)	G/LIC/N/3/ARG/1-ARG/2 + Add.1 (8.2.02)	G/LIC/N/2/ARG/1-9 (14.10.05)
Armenia	G/LIC/N/1/ARM/1 (29.9.03)	G/LIC/N/3/ARM/1 + Add.1 – ARM/2 (7.9.05)	
Australia	G/LIC/N/1/AUS/1 + Add.1 (28.4.97)	G/LIC/N/3/AUS/1/Rev.1- AUS/2 (24.5.02)	G/LIC/N/2/AUS/1 (28.5.04)
Bahrain	G/LIC/N/1/BHR/1 (27.5.97)	G/LIC/N/3/BHR/1 (5.9.00)	
Bangladesh	G/LIC/N/1/BGD/1-2 (1.3.05)	G/LIC/N/3/BGD/1-2 (1.3.05)	
Barbados	G/LIC/N/1/BRB/1 (4.10.96)	G/LIC/N/3/BRB/1-2 (8.5.02)	
Belize	Not notified	Not notified	
Benin	G/LIC/N/1/BEN/1 (18.12.96)	Not notified	
Bolivia	G/LIC/N/1/BOL/1 (29.5.97)	G/LIC/N/3/BOL/1-2 + Corr.1 & BOL/3 (20.6.00)	
Botswana	Not notified	Not notified	
Brazil	G/LIC/N/1/BRA/1-2/Rev.1 (1.6.05)	G/LIC/N/3/BRA/1-4/Rev.1 (1.6.05)	G/LIC/N/2/BRA/1/-2/ Rev.1(1.6.05)
Brunei Darussalam	Not notified	G/LIC/N/3/BRN/1 (4.3.97)	
Bulgaria	G/LIC/N/1/BGR/1-2 (16.9.04)	G/LIC/N/3/BGR/1-2+Add.1 (16.9.04)	
Burkina Faso	G/LIC/N/1/BFA/1 (8.1.97)	G/LIC/N/3/BFA/1+Add.1 (24.11.00)	
Burundi	G/LIC/N/1/BUR/1 (3.4.01)	G/LIC/N/3/BUR/1-2 (12.10.01)	
Cambodia	Not notified	Not notified	
Cameroon	G/LIC/N/1/CMR/1 (13.7.01)	G/LIC/N/3/CMR/1 (5.11.04)	
Canada	G/LIC/N/1/CAN/1 (29.1.96)	G/LIC/N/3/CAN/1-4 + Corr.1 (2.1.02)	
Central African Rep.	Not notified	Not notified	
Chad	G/LIC/N/1/TCD/1-2 (18.7.00)	G/LIC/N/3/TCD/1-2 (13.6.01)	
Chile	G/LIC/N/1/CHL/1 (16.7.96)	G/LIC/N/3/CHL/1 + Adds.1-2 (3.2.99)	
China	G/LIC/N/1/CHN/1 & Add.1- CHN/3-4 (23.12.04)	G/LIC/N/3/CHN/1-4 (27.9.05)	
Colombia	G/LIC/N/1/COL/1 + Add.1 (4.12.00)	G/LIC/N/3/COL/1 + Adds.1-2 & COL/2-3 12.10.05)	
Congo	Not notified	Not notified	
Congo, Dem Rep. of	Not notified	Not notified	
Costa Rica	G/LIC/N/1/CRI/1 (21.11.95)	G/LIC/N/3/CRI/1-3 (15.12.00)	
Côte d'Ivoire	G/LIC/N/1/CIV/1 (10.1.02)	G/LIC/N/3/CIV/1 (10.1.02)	

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Croatia	G/LIC/N/1/HRV/1-3+Corr.1 (23.3.05)	G/LIC/N/3/HRV/1-3 (23.3.05)	
Cuba	G/LIC/N/1/CUB/1 (11.1.96)	G/LIC/N/3/CUB/1-2 + Add.1 (30.9.04)	
Djibouti	Not notified	Not notified	
Dominica	G/LIC/N/1/DMA/1 (8.2.01)	G/LIC/N/3/DMA/1 (8.2.01)	
Dominican Rep.	G/LIC/N/1/DOM/1 (28.4.04)	G/LIC/N/3/DOM/1-2 (28.4.04)	
Ecuador	G/LIC/N/1/ECU/1-2 (13.6.05)	G/LIC/N/3/ECU/1 + Add.1 - ECU/2 (25.10.02)	
Egypt	Not notified	Not notified	
El Salvador	G/LIC/N/1/SLV/1 (13.1.04)	Not notified	
European Communities	G/LIC/N/1/EEC/1/Rev.2 + Add.1-2 EEC/2 + Add.1-4 (6.1.03)	G/LIC/N/3/EEC/1 + Add.1 EEC/2 + Add.1-27 EEC/3 +Add.1-26 EEC/4 + Add.1 EEC/5 + Add.1 & Add.1/Corr.1 EEC/6 + Add.1+ EEC/6/Corr.1 (30.9.03)	G/LIC/N/2/EEC/1-2 (4.7.97)
Fiji	G/LIC/N/1/FJI/1 (30.7.97)	G/LIC/N/3/FJI/1 (1.4.97)	
Gabon	G/LIC/N/1/GAB/1-2 (5.3.02)	Not notified	
Gambia	Not notified	G/LIC/N/3/GMB/1 (31.10.97)	
Georgia	G/LIC/N/1/GEO/1 (22.3.02)	G/LIC/N/3/GEO/1-2 (8.10.04)	
Ghana	G/LIC/N/1/GHA/1 (15.4.04)	G/LIC/N/3/GHA/1-3 (15.4.04)	
Grenada	G/LIC/N/1/GRD/1 (13.3.02)	Not notified	
Guatemala	G/LIC/N/1/GTM/1-2 (20.1.00)	G/LIC/N/3/GTM/1-2 (3.9.04)	
Guinea	Not notified	Not notified	
Guinea Bissau	Not notified	Not notified	
Guyana	G/LIC/N/1/GUY/1 (5.4.02)	G/LIC/N/3/GUY/1-2 (22.10.03)	
Haiti	G/LIC/N/1/HTI/1 (8.10.99)	G/LIC/N/3/HTI/1-2 (27.4.00)	
Honduras	G/LIC/N/1/HND/1 (31.10.96)	Not notified	
Hong Kong, China	G/LIC/N/1/HKG/1-5 (24.12.02)	G/LIC/N/3/HKG/1 + Rev.1-2, HKG/2 -HKG/3 + Corr.1 HKG/4 -9 (27.9.05)	G/LIC/N/2/HKG/1-2 (27.1.98)
Iceland	G/LIC/N/1/ISL/1 (8.1.99)	G/LIC/N/3/ISL/1-3 (30.9.04)	
India	G/LIC/N/1/IND/1/Rev.1 + IND/2-8 (12.9.05)	G/LIC/N/3/IND/1-7 + Corr.1 (2.6.05)	G/LIC/N/2/IND/1-7 (12.9.05)
Indonesia	G/LIC/N/1/IDN/1 (27.10.98)	G/LIC/N/3/IDN/1-2 (12.5.03)	G/LIC/N/2/IDN/1 (14.4.03)
Israel	Not notified	Not notified	
Jamaica	G/LIC/N/1/JAM/1 (1.7.96)	G/LIC/N/3/JAM/1+ Add.1-2 (18.9.02)	G/LIC/N/2/JAM/1 (23.9.03)
Japan	G/LIC/N/1/JPN/1-2/Rev.1 (7.1.97)	G/LIC/N/3/JPN/1 + Corr.1- JPN/3 (28.1.04)	G/LIC/N/2/JPN/1-3 (12.4.01)
Jordan	G/LIC/N/1/JOR/1-2 + Add.1 (19.8.03)	G/LIC/N/3/JOR/1 (2.10.00)	G/LIC/N/2/JOR/1-2 (8.6.05)
Kenya	G/LIC/N/1/KEN/1 (9.5.03)	G/LIC/N/3/KEN/1-2 + Add.1 (9.5.03)	
Korea	G/LIC/N/1/KOR/1-3 (3.4.98)	G/LIC/N/3/KOR/1-4 (21.3.05)	
Kuwait	Not notified	Not notified	
Kyrgyz Republic	G/LIC/N/1/KGZ/1 (6.1.00)	G/LIC/N/3/KGZ/1 (11.4.00)	
Lesotho	Not notified	Not notified	
Liechtenstein	G/LIC/N/1/LIE/1-2 (17.10.00)	G/LIC/N/3/LIE/1 + Add.1- LIE/4 +Add.1 (25.2.03)	G/LIC/N/2/LIE/1-2 (17.10.00)

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Macao, China	G/LIC/N/1/MAC/1 + Add.1-3 – MAC/2 (16.1.04)	G/LIC/N/3/MAC/1-7 (23.12.04)	
Macedonia, Former Yugoslav Rep. of	G/LIC/N/1/MKD/1 (14.10.04)	Not notified	
Madagascar	G/LIC/N/1/MDG/1-2 (31.3.00)	G/LIC/N/3/MDG/1-2 (13.6.05)	
Malawi	G/LIC/N/1/MWI/1 (10.5.99)	G/LIC/N/3/MWI/1 + Add.1 (11.10.02)	
Malaysia	Not notified	G/LIC/N/3/MYS/1 (4.12.97)	G/LIC/N/2/MYS/1-2 (21.7.99)
Maldives	Not notified	G/LIC/N/3/MDV/1 (21.3.02)	
Mali	G/LIC/N/1/MLI/1 (23.7.01)	G/LIC/N/3/MLI/1-2 (23.7.01)	
Mauritania	Not notified	Not notified	
Mauritius	G/LIC/N/1/MUS/1 + Add.1-3 (4.5.98)	G/LIC/N/3/MUS/1-2 + Corr.1 (24.5.02)	
Mexico	G/LIC/N/1/MEX/1 (29.9.04)	G/LIC/N/3/MEX/1 (29.9.04)	G/LIC/N/2/MEX/1 (16.10.98)
Moldova	G/LIC/N/1/MDA/1 (9.1.02)	G/LIC/N/3/MDA/1 (30.1.02)	
Mongolia	Not notified	G/LIC/N/3/MNG/1 (15.5.03)	
Morocco	G/LIC/N/1/MAR/1+Add.1-2 (6.12.04)	G/LIC/N/3/MAR/1-2 + Add.1- MAR/4+Add.1 (22.9.05)	
Mozambique	Not notified	Not notified	
Myanmar	Not notified	Not notified	
Namibia	G/LIC/N/1/NAM/1 (8.10.02)	G/LIC/N/3/NAM/1-4 (8.10.02)	
Nepal	Not notified	Not notified	
New Zealand	G/LIC/N/1/NZL/1 (2.8.96)	G/LIC/N/3/NZL/1 + Add.1 (24.3.98)	
Nicaragua	G/LIC/N/1/NIC/1 (18.7.96)	Not notified	
Niger	G/LIC/N/1/NER/1 (10.12.97)	Not notified	
Nigeria	G/LIC/N/1/NGA/1 (16.2.98)	G/LIC/N/3/NGA/1-2 (16.2.98)	G/LIC/N/2/NGA/1-2 (16.2.98)
Norway	G/LIC/N/1/NOR/1-2 (3.11.97)	G/LIC/N/3/NOR/1 + Corr.1- NOR/2 + Add.1-2 (7.4.00)	
Oman	G/LIC/N/1/OMN/1 (9.1.01)	G/LIC/N/3/OMN/1 + Add.1- OMN/2 (2.3.05)	
Pakistan	G/LIC/N/1/PAK/1 (6.5.96)	Not notified	G/LIC/N/2/PAK/1 (6.5.96)
Panama	G/LIC/N/1/PAN/1-2 (19.10.98)	G/LIC/N/3/PAN/1-2 (2.3.04)	G/LIC/N/2/PAN/1 (21.7.98)
Papua New Guinea	Not notified	Not notified	G/LIC/N/2/PNG/1 (6.2.98)
Paraguay	G/LIC/N/1/PRY/1 (21.5.03)	Not notified	
Peru	G/LIC/N/1/PER/1-2/Rev.1 (8.2.05)	G/LIC/N/3/PER/1-2 + Add.1 & PER/3/Rev.1 (8.2.05)	
Philippines	G/LIC/N/1/PHL/1 (6.4.98)	G/LIC/N/3/PHL/1-4 + Add.1 (29.9.03)	
Qatar	G/LIC/N/1/QAT/1 (24.3.98)	G/LIC/N/3/QAT/1-2 (8.3.05)	
Romania	G/LIC/N/1/ROM/1-3 (21.9.05)	G/LIC/N/3/ROM/1-2 +Add.1 (12.12.00)	G/LIC/N/2/ROM/1-4 (21.9.05)
Rwanda	Not notified	Not notified	
Saint Kitts & Nevis	G/LIC/N/1/KNA/1 (17.7.98)	Not notified	
Saint Lucia	G/LIC/N/1/LCA/1 (14.10.02)	G/LIC/N/3/LCA/1-3 (7.4.05)	G/LIC/N/2/LCA/1-2 (14.10.02)
Saint Vincent & Grenadines	Not notified	Not notified	

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Senegal	G/LIC/N/1/SEN/1 (14.10.02)	G/LIC/N/3/SEN/1-2 (14.10.02)	
Sierra Leone	Not notified	Not notified	
Singapore	G/LIC/N/1/SGP/1-4 (22.9.04)	G/LIC/N/3/SGP/1-4 (5.11.03)	G/LIC/N/2/SGP/1-3 (22.9.04)
Solomon Islands	Not notified	Not notified	
South Africa	Not notified	G/LIC/N/3/ZAF/1-3 + ZAF/4 (11.9.02)	G/LIC/N/2/ZAF/1 (9.7.97)
Sri Lanka	G/LIC/N/1/LKA/1 (5.5.03)	G/LIC/N/3/LKA/1 (5.5.03)	
Suriname	G/LIC/N/1/SUR/1 (10.12.03)	Not notified	
Swaziland	G/LIC/N/1/SWZ/1 (19.8.96)	Not notified	
Switzerland	G/LIC/N/1/CHE/1-2 (21.9.00)	G/LIC/N/3/CHE/1-4 + Add.1 (21.2.03)	G/LIC/N/2/CHE/1-2 (21.9.00)
Chinese Taipei	G/LIC/N/1/TPKM/1-3/Rev.1 + TPKM/4-6 (17.11.04)	G/LIC/N/3/TPKM/1/Rev.1- TPKM/2 (21.6.04)	G/LIC/N/2/TPKM/1-4 (17.11.04)
Tanzania	Not notified	Not notified	
Thailand	Not notified	Not notified	
Togo	G/LIC/N/1/TGO/1 (8.5.03)	G/LIC/N/3/TGO/1 (8.5.03)	
Trinidad & Tobago	G/LIC/N/1/TTO/1 (28.10.98)	G/LIC/N/3/TTO/1-4 (30.7.04)	
Tunisia	G/LIC/N/1/TUN/1 + Add.1 (21.1.99)	G/LIC/N/3/TUN/1-3 + Add.1-3 & TUN/4 (7.4.05)	
Turkey	G/LIC/N/1/TUR/1, TUR/2/Rev.1-TUR/4 (22.9.03)	G/LIC/N/3/TUR/1-5 (22.9.03)	
Uganda	G/LIC/N/1/UGA/1 (16.8.96)	G/LIC/N/3/UGA/1+ Add.1-2 (29.9.05)	
United Arab Emirates	G/LIC/N/1/ARE/1 (19.3.97)	G/LIC/N/3/ARE/1 (11.4.00)	
United States	G/LIC/N/1/USA/1 + Rev.1- USA/2 (28.4.03)	G/LIC/N/3/USA/1-3 (6.11.00)	G/LIC/N/2/USA/1-2 (20.6.05)
Uruguay	G/LIC/N/1/URY/1-3 (17.9.01)	G/LIC/N/3/URY/1 + Add.1- URY/2/Rev.1 & URY/3 (5.7.05)	
Venezuela	G/LIC/N/1/VEN/1 (12.10.02)	G/LIC/N/3/VEN/1 + Corr.1-2 (8.11.02)	G/LIC/N/2/VEN/1-5 (16.5.03)
Zambia	G/LIC/N/1/ZMB/1-2 (10.2.04)	G/LIC/N/3/ZMB/1-2 (10.2.04)	
Zimbabwe	G/LIC/N/1/ZWE/1-2 (21.9.98)	G/LIC/N/3/ZWE/1+Add.1-2 (15.2.01)	
TOTAL MEMBERS =123 ¹³	91 ⁶	85 ⁶	26 ⁶

¹³ The European Communities and its member States counted as one Member.

F. DATA COLLECTION INSTRUMENTS

(BoC-TRGA) Traders, Government and Public Easy Access to Import and Export Laws, Rules and Regulation

Purpose/objective of the project: to assist BOC and other relevant government agencies to achieve compliance with the Revised Kyoto Convention (RKC), AEC and the Philippines-US Trade Facilitation Protocol (PUSTFP) by promoting transparency through providing public access to TRGA import/export regulatory requirements and BOC procedures in ensuring compliance at the time of import/export.

Profile of the Respondent:

- 1. The agency representative should be knowledgeable on the subject matter***
- 2. The agency representative is most likely the person in charge on the subject matter***

I. Profile

Name: _____

Age: _____

Educational Attainment: _____

Department/Agency/Bureau: _____

Designation: _____

Office Address: _____

Contact Details: _____

II. **Process Jurisdiction** *(Please attached pertinent documents if any)*

Importation

2.1 **Regulated Imports**

Please put on your comments under each commodity if there's any.

Tariff Heading	Commodity Description	Import Requirements (clearances and permits)	Import Procedure and Specifications	Special Instructions	Legal Basis (Enabling Law)	Person/office in charge (Contact details and Address)
Comments:						

Exportation

2.4 **Regulated Exports**

Tariff Heading	Commodity Description	Export Requirements (clearances and permits)	Export Procedure and Specifications	Special Instructions	Legal Basis (Enabling Law)	Person/office in charge (Contact details and Address)
Comments:						

Baseline Data Worksheet Sample *(complete baseline worksheet available upon request)*

TRGA	Commodity	HS Codes	Legal Bases	Requirements	Importing Procedures	Lead Time for Processing	Special Instructions	Contact Detail	Attachments	Base Data Doc
Bangko Sentral ng Pilipinas	Local Currency. Legal tender Philippine notes and coins, checks, money order and other bills of exchange drawn in pesos against banks operating in the Philippines in an amount exceeding PHP 10,000.00		Section 4 (Cross-Border Transfer of Local and Foreign Currencies), Circular No. 645 dated 13 February 2009, as amended						Bangko Sentral ng Pilipinas	
Bangko Sentral ng Pilipinas	Bank notes, Coins of precious metal other than gold and of non-precious metal not being legal tender, Coin blank essentially of gold, Coin blank essentially of steel, Coin blank essentially of copper, Coin blank essentially of nickel, Coin blank essentially of zinc, Coin blank essentially of tin, and Coin blank essentially of aluminum/ TH4907, 7118, 7108, 7326, 7419, 7508, 7907, 8007, 7616		Section 4 (Cross-Border Transfer of Local and Foreign Currencies), Circular No. 645 dated 13 February 2009, as amended	Authorization by the BSP	No person may import or export nor bring with him into or take out of the country, or electronically transfer an amount exceeding PHP10,000.00 without authorization by the BSP Source: http://www.bsp.gov.ph/downloads/Regulations/MORFXT/MORFXT.pdf				Bangko Sentral ng Pilipinas	

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

TRGA	Commodity	HS Codes	Legal Bases	Requirements	Importing Procedures	Lead Time for Processing	Special Instructions	Contact Detail	Attachments	Base Data Doc
Bureau of Animal Industry	Dogs and Cats		Republic Act No. 1937	<p>Import permit from the Animal Health Division (AHD) of BAI.</p> <p>2. Issuances and Infections fees to be paid at the Veterinary Quarantine Unit at the Ninoy Aquino International Airport.</p> <p>3. Valid Health Certificate from the country of origin.</p>	<p>1. Apply for an import permit with the Animal Health Division (AHD) Bureau of Animal Industry (BAI) by writing a letter addressed to the BAI director containing the following information:</p> <p>a. species and breed of animal b. sex, color and number of pets c. expected date of arrival</p> <p>Always inquire for new rates on inspection fees</p> <p>2. If the number of animals to be brought to the Philippines exceeds five, the animals have to be inspected at quarantine site.</p> <p>3. Issuance and inspection fees are 50 pesos and 165 pesos for the</p>		<p>1. If the number of animals brought to the Philippines exceeds five, the animal should be inspected at the quarantine site;</p> <p>2. The permit is only good for two months.</p> <p>Extension for another month maybe requested before the permit's expiry date.</p>	<p>Visayas Avenue, Diliman, Quezon City, Metro Manila</p> <p>+ (632) 928-1778; + (632) 928-2836 + (632) 927-0971; + (632) 926-6883</p> <p>webmail@bai.da.gov.ph</p> <p>Animal Health Division, Visayas Avenue, Diliman, Quezon City, Philippines; Telephone Number</p>	<p>BAI-Guidelines for the Importation of Live Pet Animals to the Philippines</p>	<p>Bureau of Animal Industry\BAI-base data.docx</p>

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

TRGA	Commodity	HS Codes	Legal Bases	Requirements	Importing Procedures	Lead Time for Processing	Special Instructions	Contact Detail	Attachments	Base Data Doc
					<p>first two heads and 220 pesos for each succeeding head, respectively. Payment may be made upon arrival at the Veterinary Quarantine Unit, Ninoy Aquino International Airport.</p> <p>4. A valid health certificate (issued shortly before shipment) from the country of origin must be presented upon arrival.</p>			<p>(632) 9282743; Fax Number (632)928 2836; Website: www.bai.da.gov.ph</p>		
Bureau of Animal Industry	Exotic Animals		Republic Act No. 1937	<ol style="list-style-type: none"> 1. Import permit from the Animal Health Division (AHD) of BAI. 2. Schedule with AHD for inspection at the quarantine site. 3. CITES certification issued by the 	<ol style="list-style-type: none"> 1. Apply for an import permit from AHD. 2. Arrange schedule with AHD for inspection of the quarantine site. 3. A CITES certification issued by the 		<ol style="list-style-type: none"> 1. Issuances and Inspection fees depend on the size of the animal; 2. The permit is only good 	<p>Visayas Avenue, Diliman, Quezon City, Metro Manila</p> <p>+ (632) 928-1778; + (632) 92</p>	<p>BAI-Guidelines for the Importation of Live Pet Animals to the Philippines</p>	<p>Bureau of Animal Industry/ BAI-base data.doc x</p>

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

TRGA	Commodity	HS Codes	Legal Bases	Requirements	Importing Procedures	Lead Time for Processing	Special Instructions	Contact Detail	Attachments	Base Data Doc
				<p>Parks and Wildlife Bureau (PAWB)</p> <p>4. Issuances and Infections fees to be paid at the Veterinary Quarantine Unit at the Ninoy Aquino International Airport.</p> <p>5. Valid Health Certificate from the country of origin.</p>	<p>Parks and Wildlife Bureau shall be presented.</p> <p>4. Issuance and inspection fees are 40 pesos and 10 to 50 pesos per head (depending on the size of the animal), respectively.</p> <p>5. A valid health certificate from the country of origin shall be presented upon arrival.</p>		<p>for two months . Extension for another month maybe requested before the permit's expiry date;</p> <p>3. Upon arrival, the animal/s, shall be presented at the Veterinary Quarantine Unit at the port of entry for inspection.</p>	<p>8-2836 +(632)927-0971; +(632)926-6883 webmail @bai.da.gov.ph</p> <p>Animal Health Division, Visayas Avenue, Diliman, Quezon City, Philippines; Telephone Number (632) 9282743; Fax Number (632)9282836; Website: www.bai.da.gov.ph</p>		
Bureau of Animal	Hogs		Republic Act No. 1937	1. Import Permit			1.	Visayas	BAI-	Bureau

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

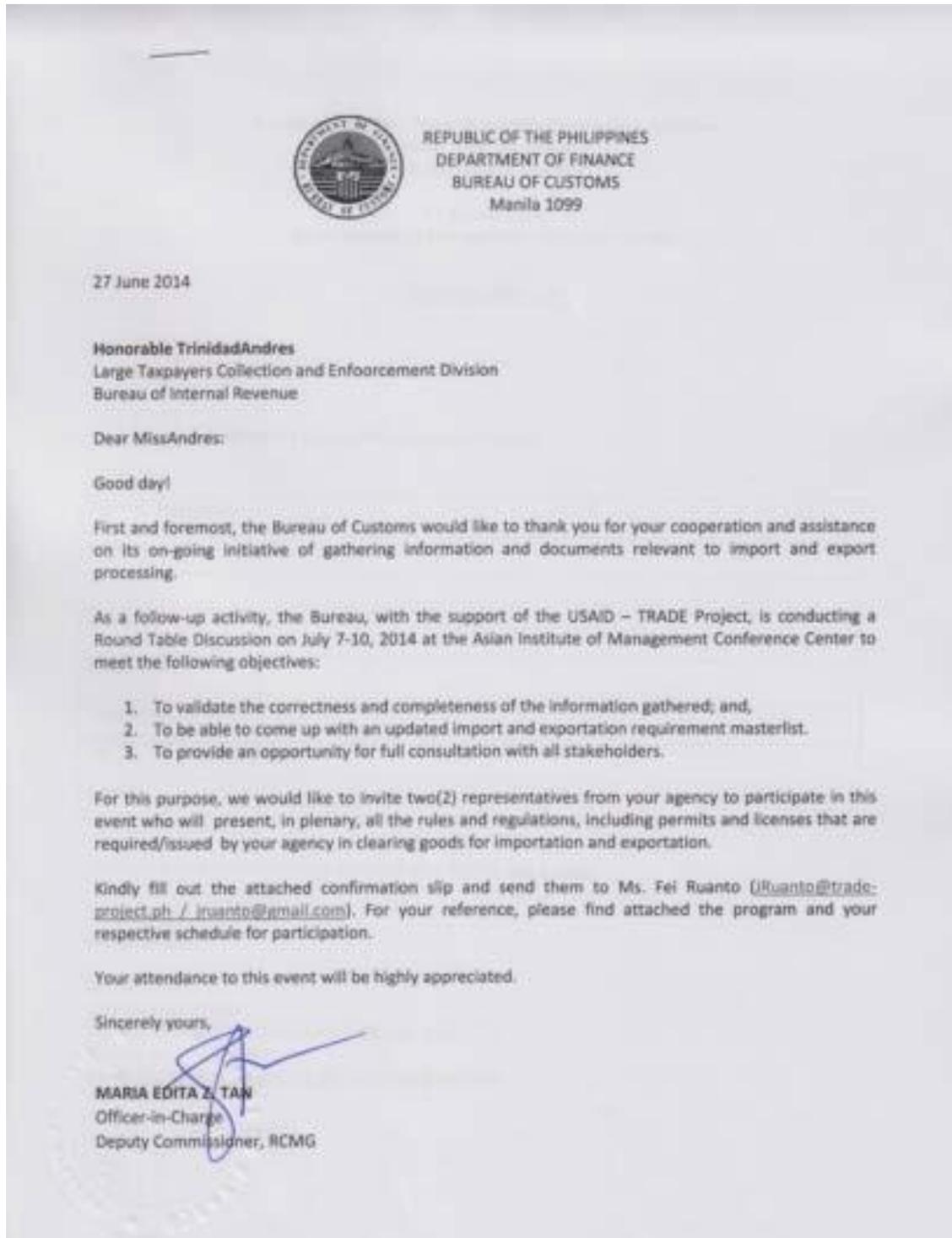
TRGA	Commodity	HS Codes	Legal Bases	Requirements	Importing Procedures	Lead Time for Processing	Special Instructions	Contact Detail	Attachments	Base Data Doc
Industry				<p>from National Veterinary Quarantine Services (NVQS)</p> <p>2. Landing Permit from NVQS-BAI</p> <p>3. Notice of Quarantine shall be issued if the animals are found to be free from contagious communicable animal disease.</p>			<p>Evaluation of the animal disease situation of the country of origin.</p> <p>The animal/s shall be free from the Office International des Epizooties (OIE) List A Diseases of Swine; 2. the importer should have secured schedule with NVQS and the Livestock Development Division (LDD) for the inspection of the farm and</p>	<p>Avenue, Diliman, Quezon City, Metro Manila</p> <p>+ (632) 928-1778; + (632) 928-2836 + (632) 927-0971; + (632) 926-6883</p> <p>webmail @bai.da.gov.ph</p> <p>National Veterinary Quarantine Services, Visayas Avenue, Diliman, Quezon City, Philippines; Telephone</p>	<p>Guidelines for the Importation of Live Pet Animals to the Philippines</p>	<p>of Animal Industry\BAI-base data.docx</p>

BUREAU OF CUSTOMS – TRADE RELATED GOVERNMENT REGULATORY AGENCY REQUIREMENTS

TRGA	Commodity	HS Codes	Legal Bases	Requirements	Importing Procedures	Lead Time for Processing	Special Instructions	Contact Detail	Attachments	Base Data Doc
							quarantine site; 3. Hogs shall be inspected and examined by the Veterinary Quarantine Officer at the port of entry	e Number (632) 9254343/ (632)920 0816; Fax Number (632)920 0815; Website: www.bai.da.gov.ph		

G. BOC ROUNDTABLE MATERIALS

Sample BoC Letter of Invitation to TRGAs



ANNEX 1

Round Table Program



USAID
FROM THE AMERICAN PEOPLE

Bureau of Customs- Trade Regulatory Government Agencies Requirement Masterlist

Round Table Discussion

Date: July 7-10, 2014

Venue: Asian Institute of Management

PROGRAMME

Day 1 (July 7)

Time	Activities
Morning Session	
8:00-8:15	Registration
8:15-8:20	National Anthem
8:20-8:30	Invocation
8:30-8:45	Opening Remarks Commissioner John Sevilla Bureau of Customs
8:45-9:00	Brief Introduction
Agency Presentation and Validation of Requirements and Regulations Relevant to Importation and Exportation	
9:00-9:30	Sugar Regulatory Administration
9:30-10:00	Bureau of Plant Industry
10:00-10:30	Food and Drug Administration Center for Food Regulation and Research Center for Cosmetics Regulations and Research
10:30-11:00	National Meat Inspection Service
11:00-11:30	Bureau of Animal Industry
11:30-12:00	Bureau of Fisheries and Aquatic Resources
12:00-1:00	Lunch

Afternoon Session	
1:00-1:30	National Food Authority
1:30-2:00	Fiber Industry Development Authority
2:00-2:30	Bureau of Internal Revenue
2:30-4:45	Q and A and Synthesis
4:45-5:00	Closing Remarks Dr. Cielito Habito Chief of Party USAID-Trade-Related Assistance for Development (TRADE)



Bureau of Customs- Trade Regulatory Government Agencies Requirement Masterlist

Round Table Discussion

Date: July 7-10, 2014

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PROGRAMME

Day 2 (July 8)

Time	Activities
Morning Session	
8:00-8:15	Registration
8:15-8:20	National Anthem
8:20-8:30	Invocation
8:30-8:45	Opening Remarks Commissioner John Sevilla Bureau of Customs
8:45-9:00	Brief Introduction
Agency Presentation and Validation of Requirements and Regulations Relevant to Importation and Exportation	
9:00-9:30	Bureau of Import Services
9:30-10:00	Board of Investments
10:00-10:30	Land Transportation Office
10:30-11:00	Bangko Sentral ng Pilipinas
11:00-11:30	One Stop Shop (DoF)
11:30-12:00	National Tobacco Authority
12:00-1:00	Lunch

Afternoon Session	
1:00-1:30	National Bureau of Investigation
1:30-4:45	Q and A and Synthesis
4:45-5:00	Closing Remarks Dr. Cielito Habito Chief of Party USAID-Trade-Related Assistance for Development (TRADE)



Bureau of Customs- Trade Regulatory Government Agencies Requirement Masterlist

Round Table Discussion

Date: July 7-10, 2014

Venue: Asian Institute of Management

PROGRAMME

Day 3 (July 9)

Time	Activities
Morning Session	
8:00-8:15	Registration
8:15-8:20	National Anthem
8:20-8:30	Invocation
8:30-8:45	Opening Remarks Commissioner John Sevilla Bureau of Customs
8:45-9:00	Brief Introduction
Agency Presentation and Validation of Requirements and Regulations Relevant to Importation and Exportation	
9:00-9:30	National Telecommunication Commission
9:30-10:00	Intellectual Property Office
10:00-10:30	Fertilizer and Pesticide Authority
10:30-11:00	Forest Management Bureau
11:00-11:30	Environment Management Bureau Philippine Ozone Desk
11:30-12:00	Philippine Nuclear Research Institute
12:00-1:00	Lunch

Afternoon Session	
1:00-1:30	Department of Health Bureau of International Health Cooperation
1:30-2:00	Department of Social Welfare and Development
2:00-2:30	Food and Drug Administration Center for Drug Regulation and Research
2:30-3:00	Philippine Gaming Corporation
3:00-3:30	Philippine Coconut Authority
3:30-4:00	Department of Energy
4:00-4:30	Bureau of Internal Revenue
4:00-4:30	Q and A and Synthesis
4:30-5:00	Closing Remarks Dr. Cielito Habito Chief of Party USAID-Trade-Related Assistance for Development (TRADE)



USAID
FROM THE AMERICAN PEOPLE

Bureau of Customs- Trade Regulatory Government Agencies Requirement Masterlist

Round Table Discussion

Date: July 7-10, 2014

Venue: Asian Institute of Management

PROGRAMME

Day 4 (July 10)

Time	Activities
Morning Session	
8:00-8:15	Registration
8:15-8:20	National Anthem
8:20-8:30	Invocation
8:30-8:45	Opening Remarks
	Commissioner John Sevilla Bureau of Customs
8:45-9:00	Brief Introduction
Agency Presentation and Validation of Requirements and Regulations Relevant to Importation and Exportation	
9:00-9:30	Optical Media Board
9:30-10:00	Dangerous Drugs Board
10:00-10:30	Philippine Drug Enforcement Agency
10:30-11:00	Food and Drug Administration Center for Drug Regulation and Research
11:00-11:30	Tourism Enterprise Zone
11:30-12:00	Philippine Trading International Corporation
12:00-1:00	Lunch

Afternoon Session	
1:00-1:30	National Book Development Board
1:30-2:00	National Bureau of Investigation
2:00-2:30	Maritime Industry Authority
2:30-3:00	Bureau of Product Standards
3:00-3:30	Cooperative Development Authority
3:30-4:45	Q and A and Synthesis
4:45-5:00	Closing Remarks Dr. Cielito Habito Chief of Party USAID-Trade-Related Assistance for Development (TRADE)

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