

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Limited Distribution

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Committee on Trade in Industrial Products

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Group 4 - Licensing

## REPLIES TO THE QUESTIONNAIRE ON LICENSING

### Addendum

#### SWITZERLAND

This reply relates to Chapters 25 to 99 of the BTN; the Swiss authorities will shortly send their reply in respect of Chapters 1 to 24.

1. In Switzerland, certain products falling within Chapters 25 to 99 of the BTN are subject to automatic import licensing. The modalities for application of the régime vary very little from one system to another. Licences are granted immediately upon submission of the application, and without discrimination (subject to the exception mentioned under 3 below).

Narcotic drugs and full-length feature films are the only products subject to quantitative restriction. In the case of narcotic drugs, the system is based on an international agreement - the Single Convention on narcotic drugs of 30 March 1961.

2. The products subject to import licences are briefly as follows (for further details, see the Swiss Customs Tariff):

Mineral oils and their distillation products

Nuclear fuels and radioactive residues

Certain chemical products

Certain explosives

Narcotic drugs

Antibiotics

Sera and vaccines

Certain fertilizers

Casein and ovalbumin

Cinematograph films

Chestnut wood

Certain woven fabrics of wool, animal hair, flax, ramie, cotton and jute  
Certain carpets  
Certain knitted and crocheted goods  
Certain garments and clothing accessories of woven fabric  
Feathers and down of protected birds  
Spring traps  
Certain parts of motor vehicles  
Miscellaneous military arms and equipment  
Circus horses

3. The systems described below apply without discrimination to all countries. The only exception to this rule is the price certificate system for certain textile products.

4. With the exception of the systems applicable to narcotic drugs and full-length feature films, the licensing systems in Switzerland are not intended to restrict the quantity or value of imports. They serve a variety of purposes: supervision of imports, for example of military equipment and nuclear fuels; protection of crops; verification of use; establishment of compulsory stocks, etc.

There has been no need to adopt alternative methods because the existing licensing systems have shown themselves to be the simplest possible for accomplishing the purposes mentioned above.

5. The legal basis for the licensing systems applied in Switzerland varies: in some cases it is a federal law adopted by Parliament, in others a decree or order adopted by the Federal Council. In the case of narcotic drugs, the relevant instrument is an international agreement - the Single Convention on narcotic drugs of 30 March 1961.

#### 6. Narcotic drugs

The provisions concerning submission of licensing applications are published in the Swiss legislation.

The annual quota is based on the quantities notified by the Swiss authorities within the framework of the system of evaluation of needs set up under the Single Convention on narcotic drugs.

A basic authorization - authorization to engage in trade in narcotic drugs - is required. In addition, a special permit is necessary for each import transaction; the permit is granted immediately upon request.

Applications are examined by one single administrative organ.

Full-length feature films

The provisions concerning submission of applications have been published in the Swiss legislation.

Imports of full-length feature films are determined under a system of quotas; the latter are allocated each year upon request to film distributors. They are utilized, on average, only to the extent of 80 per cent. There is no discrimination as between supplying countries.

The import permit is granted immediately upon request.

Applications are examined by one single administrative organ.

7. (a) The systems do not provide for any time-limit in this respect. Sometimes, however, it is advisable to submit a licence application three to four days before importation.
- (b) Yes.
- (c) No.
- (d) In most cases, applications are examined by one single administrative organ.
8. Only the ordinary criteria are taken into account. In a few cases, additional considerations are relevant:

- cinematograph films: ensuring of public order (in the cases mentioned in Article 6 of the Federal Council order on import of cinematograph films and quota restrictions on full-length feature films, dated 28 December 1962, no action is taken on licence applications);
- textiles: observance of minimum prices (for this purpose, textile products imported from certain countries are subject to a price certification system);
- circus horses not intended for re-export: undertaking in regard to use.

See also paragraph 17 below.

9. As a general rule, all individuals or corporate bodies domiciled in Switzerland are eligible to apply for a licence.

In certain cases, the licence is granted only to persons holding a basic authorization, issued by either the federal or cantonal authorities. Similarly, application for a licence to import a full-length feature film may be made only by distributors who have obtained an annual quota to import such films.

10. Only the usual information is required. In certain cases, the applicant must indicate the use for which the goods are intended. Applications in respect of cinematograph films must be accompanied by a description of the film to be imported (see paragraph 8 in this connexion).
11. In addition to the import licence and the documents normally required by the customs authorities, a certificate (of origin, of plant health, etc.) is required according to the product concerned.
12. A modest fee is charged for issuing the licence, except in certain cases which are free of charge. The amount varies according to the product and corresponds to the cost of the administrative service rendered.
13. No, except in the following cases:
- payment of a fee to a guarantee fund; this is reimbursed upon re-export (antibiotics: Sw F 0.02 per gr./million units);
  - payment of a deposit, which is refunded if the imported product is utilized for the stated purpose (certain mineral oils and their distillation products: Sw F 100 per ton or fraction thereof)
- See also paragraph 17 below.
14. Depending on the products concerned, the period of validity of a licence varies between three to twelve months; it is generally renewable, in some cases several times. In certain cases the validity is unlimited.
15. No.
16. No.
17. In a few cases, issue of a licence is conditional on:
- establishment of compulsory stocks (certain mineral oils and their distillation products, antibiotics, certain fertilizers);
  - the taking over of like domestic products (casein);
  - payment of a contribution to the egg price compensation fund (ovalbumin);
  - a minimum import volume, per annum or per consignment (certain mineral oils and their distillation products, sera and vaccines);
  - certain health requirements.
18. No.
19. Yes.