

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

YUGOSLAVIA

Information on import licensing procedures of Yugoslavia, submitted in response to the questionnaire annexed to document L/5106, has been made available to contracting parties in documents COM.IND/W/55-COM.AG/W/72/Add.31. The following notification, describing the present import licensing system, replaces the data previously submitted by Yugoslavia.

Outline of systems

1. Yugoslavia has one licensing system. Certain products may be imported only on the basis of an import licence obtainable in advance. This régime applies mostly to armaments and military equipment, narcotics, petroleum and petroleum-based products.

Import licences are issued by the Federal Secretariat for Foreign Trade at the proposal of the Federal Secretariat for Market and General Economic Affairs, and after prior consultation with the general association of a respective industry.

For certain products or groups of products, the Federal Secretariat for Foreign Trade may issue a global licence, taking into account the need for the implementation of trade and economic agreements concluded with foreign countries.

Import licences for armaments are issued by the Federal Secretariat for National Defence.

An administrative tax of Din 24.00 is charged when applying for an import licence.

Complaints may not be lodged against the issuing of import licences, but an administrative suit may be filed in accordance with the provisions of the Law on Administrative Disputes.

Purposes and coverage of licensing

2. The import licensing system is maintained for products listed in the Annex.

3. The system applies to goods originating from any country.
4. The aim of the application of licences is to control transactions of certain products for which Yugoslavia has assumed an obligation under international conventions and other intergovernmental agreements. For example, narcotic drugs, control of transactions involving armaments and military equipment as well as the elimination of disturbances on the domestic market and the prevention of non-adherence to price policies.
5. The law provides that the obtaining of licences may be prescribed for the import of certain products. However, products to which the system of restrictions is applicable are determined by the Federal Executive Council at the proposal of federal organs of administration and after prior consultation with the general association of the respective industry.

Neither the Federal Executive Council nor any of its executive organs may abolish the system of licences prescribed by the law, but they may cancel, change or supplement the products to which the system applies or is to be applied.

- The Law on Trade in Goods and Services with Foreign Countries (Official Gazette of the SFRY, Nos. 15/77 and 17/78).
- The Decision on the Conditions and Manner of Issuing Licences for the Export and Import of Goods in 1981 (Official Gazette of the SFRY, No. 14/81).

Procedures

6. (a) For products that are imported on licence, these data are not published, since these are individual requests of the importers of particular products.

The value and quantity of goods for particular countries is not determined in advance. There is no previously established maximum value up to which an import licence can be issued to a particular importer.

- (b) When issuing a licence, a time-limit for importation can be established and the importer can always submit a new application for a licence.
- (c) Licences are issued to the users of the goods regardless of whether they are producers of similar goods or not.

No special steps are taken to ensure that licences allocated are actually used for imports, with the exception that transacted business is registered with authorized commercial banks and a customs declaration is filled out during importation. Import quotas on the basis of the licence are not set up in advance, but the quantities are determined in accordance with the importer's request.

There have been no cases in the practice of the governments of exporting countries of requesting that the name of importers be made known.

- (d) There are no time-limits for the submission of applications for import licences.
- (e) The maximum length of time is thirty days.
- (f) Import can take place immediately after the granting of the licences and at the latest until the expiration of the time-limit for which the licence has been issued.
- (g) Proposals for the issuing of licences are made by the Federal Secretariat for Market and General Economic Affairs, after consultation with the general association of the respective industry. Licences are issued by the Federal Secretariat for Foreign Trade. The importer applies to only one administrative organ.
- (h) Requests for import licences are considered individually and decisions are taken in view of the real need to import certain goods.
- (i) Import licences are granted for goods that have been prescribed for licensing, regardless of whether goods are imported from countries to which payments are made in convertible currency or through clearing.
- (j) There are no such cases.
- (k) There are no cases in which the issuing of a licence is conditioned by the export of goods for which the licence is issued.

7. Answer given under 6.

8. Any refusal to issue a licence must be explained and requests are never turned down for any reasons other than economic ones, that is the reasons for which the licences were prescribed in the first place.

In case of rejection, the rejected party does not have the right to lodge a complaint but does have the right to file an administrative suit in court for the purpose of obtaining a decision making null and void the administrative act refusing the request for import.

Eligibility of importers to apply for licences

9. Licences exist only under the restrictive system, whereas an application for a licence may be submitted only by an organization of associated labour registered with the court as one authorized to transact foreign trade of a product or group of products for which the import licence is requested.

District courts register those organizations of associated labour that comply with the conditions stipulated in the Law on Trade in Goods and Services with Foreign Countries and charges a fee for such registration.

The list of organizations of associated labour registered for the carrying out of foreign trade transactions is published in the Official Gazette of the SFRY, in the announcements section.

Documentational and other requirements for application for a licence

10. The application for an import licence should contain the reasons for which import is requested and a description of the market situation. There is no prescribed form to which the importers must adhere in applying for an import licence, however, the Federal Secretariat for Foreign Trade is authorized to prescribe the form and documentation required when submitting an import licence application.

11. After importation is effected, no documents are submitted to the organs that proposed the issuing of or issued the import licence. Importers submit documents on importation only to customs authorities and to the commercial bank.

12. An administrative tax of Din 4.00 is charged for a licence application and of Din 20.00 for the issuing of a licence.

13. There is no deposit requirement connected with the issuing of licences.

Conditions of licensing

14. For products which may be imported only under licence, the validity is included in the licence itself and is not prescribed in advance. The validity of a licence may be extended on the basis of a well-substantiated requirement of the importer to whom the licence was issued.

15. No penalties have been prescribed for the non-utilization of issued licences.

16. Licences are not transferable between importers, as they are issued to a specific importer.

17. No conditions other than those prescribed are attached to the issuing of a licence.

Other procedural requirements

18. For the importation of foodstuffs, approval must be obtained from a veterinary and phytopathological service regarding the state of health of the imported products.

19. For products which may be imported only under licence, the issuing of the licence does not automatically entail the right to obtain financial resources. The securing of financial resources in general, including import under licence, depends on the balance-of-payments situation of the country.

ANNEX

Tariff No.	Description of goods
29.09/1	Petroleum oils
27.09/2	Oils obtained from bituminous minerals
27.10/1b	Ethyl gasoline
27.10/1c	Other gasolines
27.10/2	Spirit-type jet fuel
27.10/3a	Extraction gasoline
27.10/3b	White spirit
27.10/3c	Other
27.10/4a	Kerosene for lighting (petroleum)
27.10/4b	Kerosene (petroleum) for use as fuel for tractor engines, etc.
27.10/4c	Kerosene-type jet fuel
27.10/5b	Other
27.10/6	Gas oils
27.10/7a	Metallurgical crude oil
27.10/7b	Other
27.10/8a	Base oils
27.10/8b	Bright stock
27.10/8c	Cylinder oil
27.10/8d	Turbine oil
27.10/8e	Aviation oil
27.10/8f	Other lubrication and cooling oils
27.10/8g	Mineral greases
27.10/8h	Other
27.11/1	Liquefied propane and butane
27.11/2	Liquefied gaseous hydrocarbons other than propane and butane

Tariff No.	Description of goods
27.11/3	Petroleum gases and other gaseous hydrocarbons in the gaseous state
27.14/1	Petroleum coke
27.14/2	Other
27.14/2a	Bitumen
27.14/2b	Other
29.03/2b	Nitrobenzene
29.03/2c	Dinitrobenzene
29.03/2c	Di- and tri- nitrotoluene
29.21/1b/1	Nitroglycerine
29.21/1b/2	Dinitroglycerine
29.21/1b/3	Other
29.42/1a	Morphine
29.42/1b	Heroin
29.42/1c	Codeine
29.42/1d	Thebaine
29.42/1e	Papaverine
29.42/1f	Narcotine
29.42/1g	Other
29.42/3a	Cocaine and its salts
36.01	Propellent powders:
36.01/1	Smokeless
36.01/2a	Hunting
36.01/2b	Mining
36.01/2c	Others
36.02	Prepared explosives other than propellent powders:
36.02/1	Based on ammonium nitrate
36.02/2	Based on chlorates and perchlorates
36.02/3	Based on nitroglycerine

Tariff No.	Description of goods
36.02/4	Other
36.02/4a	Based on nitrogen esters
36.02/4b	Other
36.04/1	Detonating fuses
36.04/2	Safety fuses
36.04/3	Detonating caps
36.04/4	Igniters
36.04/5	Detonators
37.01	Photographic plates and film in the flat
37.01/2a	Röntgen (x-ray)
37.01/2b	Dental
72.01/1	Coin (other than gold coin), not being legal tender
87.08	Tanks and other armoured fighting vehicles, motorized, whether or not fitted with weapons, and parts of such vehicles
89.01/1	Warships of all kinds
93.02	Revolvers and pistols, being firearms