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ACCORD GENERAL SUR LES TARIFS DOUANIERS ET LE COMMERCE

ACUERDO GENERAL SOBRE ARANCELES ADUANEROS Y COMERCIO

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REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

NORWAY

Revision

The following revised notification<sup>1</sup> has been received from the delegation of Norway in response to the questionnaire on import licensing procedures annexed to L/5640/Rev.8. The notification updates and replaces information previously provided in L/5640/Add.2/Rev.2.

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

NORVEGE

Révision

La délégation de la Norvège a fait parvenir au secrétariat, en réponse au questionnaire relatif aux procédures en matière de licence d'importation figurant en annexe au document L/5640/Rev.8, la notification révisée<sup>1</sup> ci-après qui met à jour et remplace les renseignements contenus dans le document L/5640/Add.2/Rev.2.

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

NORUEGA

Revisión

Se ha recibido la siguiente notificación revisada<sup>1</sup> de la delegación de Noruega en respuesta al cuestionario relativo a los procedimientos para el trámite de licencias de importación, que figura en el anexo del documento L/5640/Rev.8. Esta notificación actualiza y reemplaza la información proporcionada anteriormente en el documento L/5640/Add.2/Rev.2.

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<sup>1</sup>English only/anglais seulement/en inglés solamente

### Outline of systems

1. The Provisional Act of 13 December 1946 prohibits all imports into Norway. Dispensations may be given by the King in Council or whoever he appoints. The Ministry of Foreign Affairs has thus been authorized to lay down import licensing requirements and to issue licences.

The authority to implement regulations regarding the imports of agricultural goods has however been given to the Ministry of Agriculture by virtue of a Provisional Act dated 22 June 1934.

Accordingly Norway applies two different systems for imports, one for industrial products and one for agricultural products.

### PART I

#### Import licensing system for industrial products

##### Purposes and coverage of licensing

2-3. Most industrial goods have been put on a free list. For imports of goods on this list no licences are required.

Licences are, however, required for imports of certain categories of textile products, mainly ready-made clothes, which are subject to MFA-agreements.

For the importation of some other textile products import licences are required for surveillance purposes. This arrangement is not intended to establish any new restraints on the imports of these products. It applies to all countries except the EEC and EFTA members.

A limited number of goods, mainly shoes, are subject to import licences when imported from Taiwan.

All imports from Iraq, Serbia/Montenegro and South Africa are prohibited.

4. The licensing is partly intended to restrict the quantity of imports (MFA-agreements) and is partly maintained for surveillance purposes. Alternative methods of accomplishing these purposes have not been considered.

5. Licensing is authorized under the Provisional Act of 13 December 1946 relating to prohibition of imports. The Ministry of Foreign Affairs has been given the power to implement the provisions of the law and has consequently the power to decide which products shall be subject to licensing. The licensing can be abolished without legislative approval. The decisions of the Ministry of Foreign Affairs concerning licensing requirements take the form of regulations.

Procedures

6. I. Bilateral quotas are subject to negotiations with the exporting countries. Information regarding these quotas is submitted to the relevant trade organizations. The formalities for the filing of applications for licences are laid down in the general provisions concerning import regulation. These are published in a bulletin which is distributed to all importers whenever needed.

II. The quotas are determined on a yearly basis. The licences are usually issued on a six-monthly basis. Licences can be made valid for a longer period when necessary and the validity can be extended by the Ministry of Foreign Affairs on request.

III. Licences for imports under bilaterally agreed quotas are allotted by the authorities of the exporting countries. The application for an import licence must be accompanied by a pro forma invoice or similar documentation, and for quota-items by an export licence. If a licence cannot be used wholly or in part, it should be returned to the Ministry of Foreign Affairs. Unused allocations will usually be given to other importers. The name of importers to whom licences have been allocated can upon request be made known to governments with which bilateral quotas have been agreed.

IV. The time allowed for submission of applications for licences when the opening of new quotas is announced, is usually restricted to the quota period.

V. The maximum time allowed for processing applications is two weeks. Licences will generally be issued in the course of two to four days.

VI. The importation may take place immediately when the licence has been granted.

VII. Consideration of licence applications is effected by one single administrative organ.

VIII. Under the present regime this problem should not arise.

IX. When import licences are required in addition to export permits, then they will be issued automatically.

X. If imports should be allowed on the basis of export permits only, the foreign authorities will be asked to provide statistics of exports or lists of export permits issued. However, for the time being all restricted imports into Norway are subject to an import licence.

XI. In some cases licences are issued in excess of the quota on the condition that the goods shall be re-exported.

7. (a) The applications must be forwarded to the Ministry before the shipment takes place from the exporting country. In cases of inadvertency licences will normally be granted at a later stage.
- (b) A licence can under special circumstances be granted immediately on request.
- (c) There is no limitation as to the period of the year during which applications for licences and/or importation may be made.
- (d) The applications are handled by one single administrative organ.

8. If an application for a licence meets the ordinary criteria it will not be refused. Reasons for refusal are always communicated to the applicant. In the event of refusal all applicants have a right to appeal to the King in Council.

Eligibility of importers to apply for licence

9. (a)-(b) All persons, firms and institutions domiciled in Norway are eligible to apply for licences and entitled to expect consideration within the framework for normal procedures. The applications must be signed by the actual importer.

Documentational and other requirements for application for licence

10. The information required is a complete specification of the product including the value and the quantity, the name and address of the importer and exporter, country of origin, and contractual conditions. The application must be accompanied by a pro forma invoice or a confirmation of the order. See annex (the sample form is not reproduced).

11. Normal customs documents and - where required - an import licence shall be presented upon importation.

12. There is no licensing fee or administrative charge.

13. There is no deposit or advance payment requirement associated with the issue of licences.

Conditions of licensing

14. The validity period of a licence is usually six months, except when the conditions mentioned in the application otherwise required. If it has to be extended, this will be done by the Ministry of Foreign Affairs on request.

15. There is no penalty for the non-utilization of a licence or a portion of a licence.
16. Licences are not transferable between importers without a permission from the Ministry of Foreign Affairs.
17. There are no other conditions attached to the issue of licences.

Other procedural requirements

18. Apart from import licensing there are no other administrative procedures required prior to importation.
19. Foreign exchange is automatically provided by the bank authorities for goods to be imported.

PART II

Import licensing system for agricultural products

1. Survey of the import systems

The provisions on imports, at present in effect, aim at providing a reasonable amount of protection for Norwegian agricultural produce against competition from abroad. As a principal rule it is required that demand for the products concerned, shall be fully covered at all times. The domestic demand for products which are normally produced in Norway shall primarily be met by produce of Norwegian origin within price limits fixed for a number of such products.

The practical implementation of the measures for regulating and effectuating imports can be summarized under the following systems:

- A. Quantity restricted supplementary imports over a fixed period as a result of insufficient supply of the product concerned from Norwegian sources.
- B. Free imports over a limited period when the supply of Norwegian produce is negligible or altogether lacking.
- C. Free imports on the basis of prices. The Agricultural Agreement<sup>1</sup> sets target prices for different categories of agricultural products. If the domestic price exceeds an upper price limit (10 per cent above the agreed target price for meat and eggs and 12 per cent for horticultural products) for two consecutive weeks, import restrictions are suspended to allow free import. The import restrictions are re-introduced with nine days' notice when the weekly quotation reaches or falls below the upper price limit.

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<sup>1</sup>See reply to question 5, second paragraph.

The domestic prices are based on wholesale price quotations from different Norwegian Farmers' Marketing Organizations.

- D. Import of products under global quotas, in part in accordance with international agreements.
- E. Imports subject to a requirements test and subject to an assessment in each individual case.

Under system A, D and E, an arrangement to equalize the price between the imported product and corresponding price of internal origin may be practised.

2. Products falling within the scope of the regulating measures, and the system under which they are classified

(i) Livestock: horses, cattle, pigs, sheep, goats, reindeer and fowls: system E

(ii) Meat and meat products: system A and C

In consultation with the producers and the importers, the Norwegian Grain Corporation (which as of March 1991 is responsible for the import licensing procedures for agricultural products) may permit quota-regulated imports even if the requirements for free importation are not fulfilled, when it considers importation necessary in order to provide reasonable supply of the product in question.

In practice, imports have normally taken place on the basis of this latter procedure, so that the market price is not allowed to reach the upper price limit.

(iii) Milk and dairy products, eggs and natural honey: system A and C

Special varieties of cheese may be imported under a liberal licensing system, up to a given quota.

(iv) Live plants and parts of plants, including cut flowers, greenery and bulbs: system A and B

(v) Fresh potatoes: system A, B and C  
Powder/starch, flakes and grain from potatoes  
Customs tariff heading No. 11.08, also containing dried milk etc.  
Customs tariff heading No. 20.04 and 20.05: system E

(vi) Fresh vegetables: system A, B and C

- (vii) Fresh fruits and berries: apples, pears, stone fruits and cultivated berries: system A, B and C
- (viii) Preserved vegetables, fruits and berries: system A and E
- (ix) Various other products: sago, manioc, arrow and salepoots, gluten and gluten-meal: system E
- (x) Coarse fodder: system A

3. The import systems have a global application covering imports from all countries.

4. Imports are regulated on a quantitative basis. The object, taking into consideration Norwegian conditions, is to provide the necessary and reasonable protection against competition from imports for the agricultural and horticultural industries.

5. The regulating measures on imports are implemented in pursuance of the Provisional Act on Prohibition on Imports etc. of 22 June 1934 No. 5 - cf. - the Act of 22 March 1918, Royal Decrees of 29 April 1932, 2 June 1960 with later amendments, most recently amended by the Royal Decree of 4 March 1983.

The present provisions are based on the Agricultural Agreement and the above-mentioned Royal Decrees.

#### 6. Procedures

- I. Information on imports and quotas etc. are given in the form of announcements to, amongst others, trade associations, the customs service, the foreign service and embassies, legations etc.
- II. The quotas are fixed on the basis of the requirements for supplementary imports during periods when the production of the Norwegian product concerned is insufficient to meet the demand.
- III. Licences for supplementary imports of commodities are issued to the importer concerned. All licences must be returned to the Norwegian Grain Corporation when the period of validity expires and must be accompanied by certification from the customs authorities listing the goods imported under the licence, if any. In cases where supplementary imports are imported over an extended period of time, any unused quotas are subject to re-allocation. The names of individual importers who are allocated quotas, and their share of quotas, are made known upon request.

- IV. The submission of applications for licences usually takes place immediately after the announcement. Applications may, however, be submitted in the course of the quota period.
- V. The time for processing the applications may vary depending on the category of product but normally it should be done within a week.
- VI. When licences are given in connection with periods of supplementary import, the licences are dated so that they are valid only during this period.
- VII. The issuing of licences is carried out by a single administrative authority, i.e. the Norwegian Grain Corporation.

The following committees, councils, associations, etc. participate, however, in the import arrangement and act in an advisory capacity:

- (i) The joint committee for the importation of meat, pork, fat and poultry. With representatives from Norwegian Farmers Meat Market Association, Norwegian Egg Producers the Meat Trader's National Association, the Provision Wholesalers' National Association and Norwegian Cooperative Union and Wholesale Society.
- (ii) The Committee for Cheese. With representatives from the Provision Wholesalers' National Association, the National Federation of Retail Grocers of Norway, the Norwegian Cooperative Union and Wholesale Society and the Norwegian Dairies Sales Association.
- (iii) A council for the importation of potatoes, vegetables, fruit, berries, live plants and parts of plants is to be appointed. Membership of the Council is to be as follows:

The Ministry of Government Administration	1 representative
The Ministry for Children and Family Affairs	1 representative
The Ministry of Foreign Affairs	1 representative
The Norwegian Farmer's Union (in Norwegian: Norges Bondelag)	1 representative



The Norwegian Smallholder's Union (in Norwegian: Norsk Bonde- og Småbrukarlag)	1 representative
The Norwegian Farmer's Union/the Norwegian Smallholder's Union	1 joint representative
The Council for Nurseries and Horticulture (in Norwegian: Rådet for Gartneri og hagebruk)	2 representatives
The Norwegian Fruit and Vegetable Association (in Norwegian: Gartnerhallen)	1 representative
The Consumer's Council (in Norwegian: Forbrukerrådet)	1 representative
The Consumer's Cooperative Union and Wholesale Society (in Norwegian: Norges Kooperative Landsforening)	1 representative
The Norwegian Fruit Wholesaler's Association (in Norwegian: Norges Fruktgrossisters Forbund)	1 representative
The Norwegian Vegetable Wholesaler's Association (in Norwegian: Grønnsaksgrossistenes Landsforbund)	1 representative
The National Canning Industry Association (in Norwegian: Konserverfabrikkenes Landsforening)	1 representative
The Flower Importers' Association (in Norwegian: Blomsterimportørenes Landsforening)	1 representative

The members of the Council and their deputies are appointed by the Ministry of Agriculture, usually for two years, upon nominations made by the institutions and organizations mentioned above.

- (iv) The Central Import Agency for Market Garden Produce which represents the Norwegian Market Garden Association, the Norwegian Nurseries' Association, the Norwegian Florists' Association and the Norwegian Vegetable and Flower Seeds Merchants' Association.

- (v) The Flower Bulb Committee and the Flower Bulb Select Committee comprising representatives for the Norwegian Growers' Association, the Norwegian Vegetable and Flower Seeds Merchants' Association and the Norwegian Garden Society.

VIII. The allocation of import quotas is mainly based on import performance during the last three years. New importers may be granted "commencement quotas".

7. The procedure on the liberal licensing of imports where there are no restrictions on quantities or on imports from particular countries

- (a) Where liberal licensing applies, applications for import licences are handled in the most expeditious manner, irrespective of whether or not the goods have arrived in the country. It should be emphasized that arrangements concerning liberal licensing are carried out also on a global basis.
- (b) Licences have at times been granted on the basis of oral requests, when such requests are judged to be completely unproblematic. However, due to the work routine connected to the issuing of licences, such procedures are restricted when possible. As a rule, import applications must be made in writing.
- (c) Applications for licences are not limited to any particular time of the year, although supplementary imports mainly occur during the winter months.
- (d) For categories of goods which come under an imports committee, e.g. cheese, live plants and parts of plants, applications are checked by the secretariat in question and are passed on for further handling by the Norwegian Grain Corporation which issues the licence.

8. Import applications are turned down when the demand for the product in question is met by domestic supplies and when there is no general access to such importation. Applications may also be turned down if the fixed quota has already been fully utilized. The applicant for the licence is always notified of the reason for the rejection. Applicants whose applications have been rejected can appeal the decision to the Ministry of Agriculture within a period of three weeks.

9. Eligibility of importers to apply for licence

- (a) For restricted quota-regulated imports, licences are issued only to firms in accordance with their quota allocation.
- (b) For liberal licensing, all applications are granted irrespective of the firm which makes the application.

Documentational and other requirements for application for import licence

10. The nature of the goods involved must be made quite clear in the application and details of the quantity and value must be given. In case of doubt samples must be submitted. Applications shall as a rule be accompanied by a pro forma invoice or specifications.

11. At the actual time of importation, the original invoice must be presented along with a plant disease certificate and/or a veterinary certificate where this is required.

12. At present there is a levy on live plants and parts of plants, amounting to 1.9 per cent of the value indicated in the licence for cut flowers and 1.4 per cent for others.

13. No deposit or advance payment is required for licensing.

14. Conditions of licensing

The period of validity of the licence varies according to the period of importation which is necessary in the case concerned. If the question of an extension of the period of validity arises, this would be effectuated by attaching a new expiry date to the licence.

15. There is no penalty on licences which have not been used either completely or partially.

16. Licences cannot be transferred between importers.

17. (a-b) The Norwegian Grain Corporation may lay down conditions concerning the manner in which the imported quantity of goods shall be disposed of and used.

18. Other procedural requirements

There are no other administrative procedures required prior to importation apart from veterinary, phytosanitary and quality regulations.

19. Foreign exchange is automatically provided.

ANNEX

Form referred to in reply to question 10, Part I:

10. Import licence application. Information required in the application

Name and address of applicant

Name and address of agent, if any

Name and address of foreign seller

1. Description of goods

2. Quantity

3. F.o.b.-value in Norwegian currency

4. Country of origin

5. Terms of delivery

6. Other relevant information:

Date, signature, telephone number, reference