

# GENERAL AGREEMENT ON

## TARIFFS AND TRADE

RESTRICTED

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### REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

#### BOLIVIA

#### Addendum

The following notification has been received from Bolivia in response to the Questionnaire on Import Licensing Procedures annexed to L/5640/Rev.9.

#### Outline of system

1. The prior licensing requirement for products that affect public health or national security is the exception to the régime of free importation of goods, in force in Bolivia since the enactment of Supreme Decrees 21060<sup>1</sup> and 22407<sup>1</sup> of 29 August 1985 and 11 January 1990, respectively, and of Law 1182<sup>1</sup> of 17 September 1990.

#### Purposes and coverage of licensing

2.-3. Only prior licensing provided for in Supreme Decree 22775<sup>1</sup> of 8 April 1991 and Ministerial Resolution 572 of 4 June 1991 are in force. The following products require prior licences, granted by the corresponding Ministries without discrimination as to the country of origin or of consignment:

#### Ministry of National Defence

#### Tariff Heading (NANDINA)

Firearms, missiles, ammunition, explosives,  
materials and machinery for their manufacture

93.02.00.00 and  
93.04.00.00;  
93.06.00.00 and  
93.07.00.00

Gunpowder, dynamite, gelignite and other  
explosives  
Percussion caps, detonators for pyrotechnical  
articles, as well as material, equipment and  
machinery for manufacture

36.01.00.00  
to  
36.05.00.00

<sup>1</sup>Available in Spanish for reference in the Secretariat (Office No. 3013)

<u>Ministry of Finance</u>	<u>Tariff Heading</u>
Coins	71.18.10.00
Notes	49.07.00.20
Machinery and equipment for their manufacture	84.43.19.00
Drafts and notes, stamps, mortgage securities, Government and other bonds	49.07.00.10
Insurance policies, stocks and other securities and these only for the exclusive account of the institutions or entities responsible for issuing them	49.07.00.00
<u>The Ministry of Education and Culture</u>	
Textbooks for elementary education	49.01.00.00
<u>Ministry of Transport and Communications</u>	
Radio, telephone and radio-telegraphic transmitters and receivers	85.25.10.00
Radio and television broadcasting transmitters and transmitter-receivers	85.25.20.00
<u>Ministry of Social Welfare and Public Health</u>	
Psychotropic narcotics and alkaloids and medicinal derivatives thereof <sup>1</sup>	29.39.00.00

The prior licensing requirement for imports of sugar is no longer in force.

Accordingly, most of the Bolivian prior licences are covered by Articles XX and XXI of the General Agreement.

4. In accordance with the Investment Act No. 1182, there are no restrictions on imports except for products that affect public health and/or national security. Anyone wishing to import the products subject to the above exception would have to apply for permission from the respective authorities.

5. Articles 11 and 13 of the "General Provisions of the Import Tariff Régime", approved by Supreme Decree 22775 of 8 April 1991, constitute the legal basis of the licensing system.

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<sup>1</sup>For these products, the scope of Law No.1008 on the "Coca and Controlled Substances Régime" must be taken into consideration.

"Article 11 - Decisions or licences, validity requirements

When import clearance calls for Ministerial decisions or licences, these shall be recognized only if they are submitted in originals with the title SINGLE COPY FOR CUSTOMS CLEARANCE and signed by the respective Minister or by the Under-Secretaries delegated by him.

Article 13 - Prior licensing

- A. Without prejudice to the specific provisions of each section or chapter, the importation of the goods listed hereunder shall require prior licensing which must be obtained before the shipment of the goods from the country of consignment:  
...
- B. Goods admitted without meeting this requirement shall be confiscated and the corresponding Ministry, together with the Ministry of Finance, will take an express decision as to their fate."

Procedures

- 6. Not applicable.
  - 7. (a) All prior licences must be obtained before shipment of the goods at the port of the country from which they are coming.
  - (b) Import licence applications are processed in the normal manner by the administrative bodies responsible for doing so and in accordance with sub-paragraph (a) above.
  - (c) There are no limitations as to the time (period of the year) during which licence applications must be made.
  - (d) Under Supreme Decree 22775, each administrative body is the only one to consider and authorize the prior licences for which it is responsible.
8. Under no circumstances may a licence be refused other than for failure to meet the ordinary criteria required by each Ministry and valid for all importers.

Eligibility of importers to apply for licence

9. Applications are unrestricted and may be submitted by companies, institutions and legal persons (whether national or foreign) complying with the legal provisions on trade.

Documentational and other requirements for application for licence

10. There is no single form for import licence applications. However, the importer must submit a written application (memorial) to the Minister responsible for authorizing the prior licence, giving the following information:

- name or business name;
- product to be imported;
- quantity, physical and technical particulars;
- means of transport;
- any other information considered desirable.

The application must be accompanied by the following documents:

- commercial invoice (original pro-forma);
- proof of registration in the Single Taxpayers Register (RUC);
- proof of registration in the Commercial Register (RECSA).

11. The documents required upon actual importation are:

- import application document;
- notice of approval;
- bill of lading or way bill;
- certificate of origin;
- transport document;
- commercial invoice.

12. There is no licensing fee or administrative charge.

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

#### Conditions of licensing

14. The period of validity of a prior licence varies depending on the product. In the case of products authorized by the Ministry of Finance and the Ministry of National Defence, it covers a single period and a volume and amount authorized by Ministerial Decision, with the possibility of an extension, subject to technical analysis. An extension may be obtained by following the procedures for a new application.

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

16. Licences are not transferable between importers and the application must be made by the interested party himself.

17. There are no other conditions attached to the issuance of licences.

#### Other procedural requirements

18. There are no other administrative procedures apart from prior import licensing.

19. Foreign exchange is provided freely to cover licences issued.