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1 ARTICLE 5

1.1 Text of Article 5

Article 5

Notification

1. Members which institute licensing procedures or changes in these procedures shall notify the Committee of such within 60 days of publication.
2. Notifications of the institution of import licensing procedures shall include the following information:
 - (a) list of products subject to licensing procedures;
 - (b) contact point for information on eligibility;
 - (c) administrative body(ies) for submission of applications;
 - (d) date and name of publication where licensing procedures are published;
 - (e) indication of whether the licensing procedure is automatic or non-automatic according to definitions contained in Articles 2 and 3;
 - (f) in the case of automatic import licensing procedures, their administrative purpose;
 - (g) in the case of non-automatic import licensing procedures, indication of the measure being implemented through the licensing procedure; and
 - (h) expected duration of the licensing procedure if this can be estimated with some probability, and if not, reason why this information cannot be provided.
3. Notifications of changes in import licensing procedures shall indicate the elements mentioned above, if changes in such occur.
4. Members shall notify the Committee of the publication(s) in which the information required in paragraph 4 of Article 1 will be published.
5. Any interested Member which considers that another Member has not notified the institution of a licensing procedure or changes therein in accordance with the provisions of paragraphs 1 through 3 may bring the matter to the attention of such other Member. If notification is not made promptly thereafter, such Member may itself notify the licensing procedure or changes therein, including all relevant and available information.

1.2 Notifications

1. At its 11 April 2011 meeting, as a result of two years of informal discussions, two notification forms under Articles 1.4(a) and 8.2(b) and under Article 5 of the Licensing Agreement

were, on a voluntary basis, agreed upon by the Committee. These forms were circulated in the G/LIC document series and posted on the Members website.¹

2. During the period 30 October 2010 to 14 October 2011, 14 notifications relating to the institution of new import licensing procedures or changes in these procedures were received from the following seven Members: Argentina; Colombia; India; Jamaica; Paraguay; Thailand; and Ukraine.² Of these, Colombia; Paraguay; and Ukraine had submitted a notification for the first time under Article 5 of the Agreement. In the period beginning 15 October 2011 to 29 October 2012, 19 notifications under Article 5 were submitted by the following 10 Members: Argentina; the European Union; Indonesia; Israel; Kuwait; Malawi; Malaysia; Morocco; Thailand; and Vietnam, where Morocco and Kuwait had submitted such a notification for the first time.³ From 30 October 2012 to 4 October 2013, 18 such notifications were submitted by the eight following Members: Argentina; Chad; Colombia; the European Union; Indonesia; New Zealand; Thailand; and Ukraine.⁴ During the period of 5 October 2013 to 20 October 2014, 18 notifications were submitted by nine Members, namely Indonesia; Israel; Lao PDR; Malaysia; Mexico; Paraguay; the Russian Federation; the Kingdom of Saudi Arabia; and Ukraine.⁵ From 21 October 2014 to 20 October 2015, 16 notifications were made by the following 10 Members: Australia; Brazil; the European Union; Hong Kong, China; Indonesia; Malawi; Mexico; Paraguay; Vietnam; and Sri Lanka – which was the only one amongst these countries submitting such a notification for the first time.⁶ During the period of 21 October 2015 to 20 October 2016, the 11 following Members submitted 18 notifications under these provisions: Argentina; Brazil; the European Union; Hong Kong, China; Indonesia; Jamaica; Malaysia; Paraguay; the Russian Federation; Bolivia and El Salvador, of which the latter two Members were making such a notification for the first time.⁷ From 21 October 2016 to 3 October 2017, 22 notifications were submitted by the following 11 Members: Argentina; the European Union; Hong Kong, China; Indonesia; the Republic of Korea; Malawi; Malaysia; Paraguay; Philippines; Togo; and Ukraine.⁸

1.3 Reverse notifications

3. The 2010 Report of the Committee on Import Licensing to the Council for Trade in Goods notes that as of December 2010, no reverse notification under Article 5.5 had been received since the entry into force of the Licensing Agreement.⁹ Members have on occasion raised issues during meetings of the Committee.

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Current as of: February 2018

¹ G/LIC/22. See also G/L/968, para. 10.

² G/L/968, para. 6. These notifications can be found in the document series: G/LIC/N/2/*.

³ G/L/1011, paras. 6 and 14.

⁴ G/L/1048, para. 6.

⁵ G/L/1078, para. 6.

⁶ See G/L/1132, para. 6.

⁷ G/L/1162, paras. 6 and 8.

⁸ G/L/1187, paras. 6 and 8

⁹ G/L/941, para. 6.