

Import Licensing Guidelines

Council of Ministers Resolution No. 84 dated 03.07.2000

Firstly: Introduction:

The Kingdom of Saudi Arabia, in the context of conformity with the requirements of the Import Licenses Agreement adopted by the World Trade Organization (WTO), and after revision of the laws, resolutions, instructions and procedures applied by the authorities within whose remits lies the grant of import licenses, with exception of the special procedures provided for by the international agreements to which the Kingdom has acceded, has approved implementation of the Import Licenses Law, not automatically, in the Kingdom after it has verified that all the orders, resolutions, instructions, and circulars currently applied in the Kingdom, as well as executive regulations issued pursuant thereto, are in conformity and harmony with the Import Licenses Agreement and the working paper presented by the Kingdom to the World Trade under No. (WT/ACC/SAU/30) on September 24th, 1997. In addition to what is stated in the replies of the Kingdom's delegation and the member states at the time of discussions and replies to the applicable procedures upon granting import licenses in accordance with the rules and detailed procedures set forth in (fourthly).

Secondly: Definition of the un-automatic licenses:

These are the import licenses in respect of which the competent authority may the discretionary power to grant or reject.

Thirdly: General Rules:

The procedures and required documents and necessary stipulations for issuing import licenses shall be determined by the different ministries and agencies (government administrative departments) in the Kingdom of Saudi Arabia pursuant to the details set forth in (fourthly) in a way that does not contradict the Import Licenses Agreement and the working paper submitted by the Kingdom of Saudi Arabia to the World Tourism Organization under No. (WT/ACC/SAU/30) on September 24th, 1997.

In addition to taking into consideration what is set forth in the replies of the government delegation and the member states, and the headquarter of the notifying and publishing body shall be at the Ministry of Commerce which shall undertake all the procedures of publication and notification. All the concerned bodies are required to observe their duty to furnish the Ministry of Commerce with any new procedures or updates relating to the import licenses so that the notification and publishing

authority may be able to perform its tasks and follow up and coordination responsibilities, and those related to the publication and notification at the prescribed times.

Fourthly: The Bodies of Issuing Licenses and the Necessary Conditions Thereof: The Ministry of Commerce:

A. Chemicals:

1. The Ministry of Commerce is the responsible body for issuing the import licenses for the chemicals imported with the knowledge of the trading importers (for commercial purpose) with the exception of the dangerous explosives and chemicals (attached are lists, 1, 2, and 3) that require approval of the Ministry of Interior and chemicals legalized by the Ministry of Health (list No. 4) which requires approval by the Ministry of Health. And the chemicals related to the national industries which are imported by the national industries, and require approval of the Ministry of Industry & Electricity (the procedures prescribed for those purposes shall be shown as part of the powers of each body in this organization).
2. Applications shall be submitted on form No. (1) showing the name of the item/purpose of use/quantity required. This shall be done with the knowledge of the trading importers and shall be submitted to the General Directorate of Laboratories and Quality Control at the Ministry (Riyadh) or to one of the two branches of the Ministry of Commerce in the western region, Jeddah or in the eastern region, Dammam.
3. The required documents shall be attached to the application.
4. Three copies of the commercial register concerning the importer.
5. Three copies of the invoice or preliminary invoice.
6. Three copies of form (2) after filling it with the required information on the place of storage/quality of material (explosive/inflammable..) and the copies shall be placed in three groups, with each group based on the application copy.
7. Three copies of the Civil Defense Certificate proving suitability of the storage place and availability of the safety and fire extinguishing means suitable to the chemical item to be stored.
8. In case the application and enclosures are complete as shown above, the import license shall be issued on the same day forthwith (copy sent to the Customs Department in the border point of entry), and if the application and the enclosures are incomplete, the importer shall be requested to provide the deficient information to complete the form, whereupon the import license shall be issued on the same day of delivering the lacking information.

9. In case the Ministry of Commerce receives the import license application for chemicals, it shall be considered part of the lists (1, 2, 3 and 4) (attached), and the importer shall be notified to contact the Ministry of Interior or Ministry of Health as the case may be, and the Ministry of Commerce (General Directorate of Laboratories and Quality Control) shall send at the same time a written letter to the Ministry of Interior or Ministry of Health as the case may be on the same day.

B. Distillation Devices:

1. Upon the desire of the importer a distillation device for the production of distilled water or for use in similar fields, such as water distillation or steam distillation in some manufacturing fields (by heating till the water evaporates and then condenses), this will require obtaining a prior import license to be issued by the Ministry of Commerce or Ministry of Health, each of them in the sector that falls under its supervision. The importer should submit an application in which the following information is shown.

I. The technical specifications of the device required to be imported.

II. Name and address of the manufacturer.

III. Port (entry point) of destination to the Kingdom.

IV. Significance of the device in the field of activity of the importer.

V.

VI.

1. Copy of the commercial register of the importer

2. Copy of the purchase order.

3. Copy of the invoice or preliminary invoice.

4. Detailed catalogue of the device.

2. The application and its enclosures shall be reviewed by the competent officials who, upon being convinced that the imported device shall be used specially for the purpose for which it was licensed, shall release it immediately. In case they are not so convinced, the importer shall be notified immediately of the reasons of rejection of his application.

3. The term (2-3) days is for issuing the license or notifying the reasons of rejection. And in case of rejection, the importer may appeal to His Excellency the Minister. If the application is rejected for the second time, the importer may then appeal to the Board of Grievances.

4. The government agencies shall be allowed, without a prior license, to import distillation devices due to the absence of possibility of misusing this privilege.

The Ministry of Industry & Electricity

1. The Ministry of Industry & Electricity (the General Directorate for Protection and Encouragement) shall undertake the responsibilities of issuing the chemical licenses (other than the dangerous explosives and chemicals requiring approval of the Ministry of Commerce) imported by the national industries (as prescribed in respect of the chemicals imported by the traders, which require license from the Ministry of Commerce).

2. The import license requires that the manufacturer should have sufficient regulations (convincing) that ensure the transfer of chemicals, their circulation and safe storage, and that there should be an actual need for chemicals the subject of license (in terms of quality and quantity) and that they should be necessary for his activity.

3. To obtain the license, the importing manufacturer should submit an application to the Ministry of Industry & Electricity explaining and attaching the following information and documents:

A. The manufacturer's particulars – name/address, field of activity/commercial register.

B. Copy of the invoice or preliminary invoice.

C. Detailed description of the chemicals required to be imported – names/specifications/formula/value/quantity determined according to the needs of the factory for a period of one year.

D. Three copies of the Civil Defense Certificate proving suitability of the storage and availability of the safety and fire extinguishing means suitable to the chemical item required to be stored.

4. In case the imported chemicals with the knowledge of the factory are of a dangerous or explosive nature or of those items that require approval of the Ministry of Health, the application shall be referred by the Ministry of Industry & Electricity to the competent Ministry. As to the other chemicals, the types exempted from the customs duties shall be released immediately by the Customs authorities without the need to a license, or a release that must be done every now and then by the Ministry of Industry and Electricity, whereupon the order of their release is issued by the Ministry of Industry & Electricity and the applicant is given a copy of such order pursuant to the same procedures applied by the Ministry of Commerce.

5. The necessary period for issuing the license is between two to three days, and in most cases, the license is issued on the same day.
6. Any chemicals not subject to the Ministries of Interior and Health shall not be refused release (1,2,3 and 4) so long as the information and documents are complete.

The Ministry of Health:

1. The following categories of products shall require a license form the Ministry of Health:

Drugs/psychological effects/controlled items for medical use/Ethylene alcohol/chemicals under control (such as the items sold as intermediary items which may lead to manufacturing of drugs/unregistered medical items/biological materials and derivatives (products), such as blood and chemicals enlisted on the list No. (4) attached.

2. The importer shall submit his application to the Director General of the Medical & Pharmaceutical Licenses at the Ministry of Health showing the justifications of using the requested items. The application should be supported by the following documents:

- I. Name of the item (its chemical and trade name).
- II. The quantity required to be imported.
- III. Name of the manufacturer and country of origin.
- IV. Name and address and field of commercial registration concerning the importer.
- V. Copy of the invoice or preliminary invoice.
- VI. Three copies of the Civil Defense Certificate providing suitability of the storage place and availability of the safety and fire extinguishing means suitable to the chemical items required to be imported.
- VII. The General Directorate for the Medical & Pharmaceutical Licenses at the Ministry of Health shall examine the application, process it and issue the license. In case the application is rejected, the reasons for refusal shall be explained in writing to the applicant.

3. The importer may request the General Director for the Medical & Pharmaceutical Licenses to review his decision of rejection of the application. Appeal shall be made against the General Manager before the Undersecretary of the Ministry of Health for Executive Affairs. Appeal may also be filed to the Ministry of Health, and the final appeal is addressed to the Board of Grievances.

The Ministry of Interior:

1. There shall be need for import license to be issued from the Ministry of Interior for the following items:
 - I. Dangerous and explosive chemicals, shown by the attached lists (1, 2, and 3), and the radiant sources (devices and materials).
 - II. Import of the materials described above shall be restricted and needs license due security reasons.
2. The application for licensing import shall be supported by the following documents:
 - a. Name and address of the importer.
 - b. Copy of the commercial register.
 - c. Copy of the final invoice or preliminary invoice.
 - d. Three copies of the Civil Defense Certificate proving suitability of the storage place and availability of the safety and fire extinguishing means conforming to the chemical item to be stored.
 - e. Name of manufacturer and country of origin.
 - f. Name and address of the responsible body and address of the place in which the TV surveillance cameras and TV closed circuits and anti-fire devices therein shall be installed.
3. The application shall be considered by the competent authority at the Ministry of Interior, and in case it is convinced and the documents are complete, the license shall be issued. But if not convinced due to reasons of national security, the application shall be rejected and the applicant notified.
4. The period (30) days as maximum pursuant to the peculiarities of each case (as usual the issuance or rejection of the license takes a period ranging between one week to thirty days).

The Ministry of Posts, Telephone and Telegrams:

1. The Ministry of Posts, Telephone and Telegrams is the responsible body for the licenses to import the telecommunications devices in the Kingdoms.
2. The reason for prohibiting import of the telecommunications devices except by a license is to rationalize the use of the frequency spectrum, and the security aspects involved in the use of such devices in the Kingdom.
3. The importer should submit the following information and documents to obtain the import license:

- I. Name and address of the importer and his commercial register.
 - II. Name and address of the end user of the device.
 - III. Location and actual address of the place in which the device is used.
 - IV. Copy of the purchase order.
 - V. Copy of the invoice or preliminary invoice.
 - VI. Guide (catalogue) of the device.
 - VII. Detailed description of the technical specifications of the device, including conformity to the Saudi international specifications (ITU and SSA).
4. Applications of import license shall be executed before the actual procedures for import, and the applications shall be processed by the Frequencies Department and the License Committee at the Ministry of Posts, Telephone and Telegrams. The period ranges from one month to two months (in case of the radio communication devices), and from six months to twelve months (in case of the transmission and communication network devices). This depends on the peculiarities of the specifications of each case and the extent of cooperation on the part of the importers, end users and suppliers.
 5. In case of rejection, the applicant shall be notified of the reasons in writing. He may appeal to the Minister of the Posts, Telegrams & Telephones, and the final appeal may be filed to the Board of Grievances.

The Ministry of Agriculture & Water:

The procedures and documents required for issuing the import licenses for different agricultural implements and items are as follows in detail:

- A. Import licenses for agricultural implements and equipment:
 1. Machinery that requires license (agricultural tractors, harvesters, threshers, fodder mowers, ploughs, trailers, chevals, seed feeders, milkers, fertilizer distributors, irrigation openers, etc.), (water pump units, which include pumps, machines, gear boxes used in starting up water pumps).
 2. Reasons: to verify conformity to the specifications approved by the Ministry of Agriculture & Water to assess the actual aid and to furnish the Agricultural Bank with price and aid for each consignment.

3. To obtain the import license it is necessary to provide the following documents and information and to present them to the Agricultural Research Administration:
 - The importer should have a commercial register for practicing trading activity in agricultural implements.
 - The importer should be an approved distributor or agent, and should provide the following documents:
 - the implement's catalogue showing the technical specifications.
 - List of prices and invoice by the value (CIF).
 - The implement's certificate of origin, showing the date of production (manufacture)
report on the suitable soil, weather, and crops for using the implement.
 - guarantee for one year against the defects of quality and manufacture, the import license shall be issued for the implements and equipment that are approved by the Ministry after their selection and proof of their suitability.
4. The necessary period for issuing the license ranges from one week to two weeks, and its shall continue to be valid till the agency of the implement is transferred from one trader to another, or when a defect is found in the implement which cannot be mastered.
5. The applicant shall be notified of the reasons of rejection of the license.
6. Appeal against rejection of the license shall be filed to the Minister of Agriculture & Water, and appeal against his decision shall be filed to the Board of Grievances.

B. Licenses for importing seeds and fertilizers:

1. Agricultural items (such as seeds and fertilizers) that need import license form the Agricultural Research Department at the Ministry of Agriculture & Water shall be as follows:
2. (All seed items/seeds/saplings and seedlings, botanic tissues, chemical fertilizers, and organic fertilizers, soil ameliorators/agricultural chemicals.)
3. Reasons of the need for obtaining import license to make sure that it conforms to the Saudi standard specifications and to make sure that the seeds that bear diseases and chemicals are not imported.

4. The procedures to be followed regarding licensing:

The importer should submit an application with the following documents:

- Copy of the commercial register to practice a trading activity in such items.
 - Copy of the invoice or preliminary invoice.
 - Accurate description/specifications and quantity intended to be imported.
 - Certificate of the modes and results of the source analysis/specifications related to the agricultural item.
 - Certificate of origin of the agricultural item.
 - Agricultural health certificate showing absence of the diseases and pests from the agricultural item.
5. The application shall be reviewed to ensure the conformity of the items with the Saudi standard specifications, and when this is verified, the license shall forthwith be issued.
6. The period: two days from the case of completion of the documents, and the license shall be valid in relation to the seeds, saplings, and seedlings and botanic tissues for a period of six months. As to the potato the period shall be for six months. As to the fertilizers and soil ameliorators it shall be for a period of six months.
7. In case the license is rejected, the applicant shall be notified in writing.
8. Appeal against the decision of rejection shall be filed to the Ministry of Agriculture & Water, and the final appeal shall be filed to the Board of Grievances.

C. Insecticide Import Licenses:

The need for them shall be as follows: Agricultural insecticides/veterinary tests for live stock/growth organizer.

The insecticides imported by the Kingdom shall be registered first of all in the agricultural research department at the Ministry of Agriculture & Water. The registration process shall take from one to two years and in case of registration of the substance the importer shall submit an application to the Agricultural Research department with the following documents:

(The importer's commercial register/copy of the invoice or preliminary invoice/copy of the Civil Defense Certificate/the Substance Proof Certificate/detailed description of the type, quantity, origin and descriptions of the substance.

In case the substance is invisible, and has actually been registered, the import license shall be issued on one day or two days, and its shall continue in effect for six months or as per the remaining period of the substance registration period, and in the cases in which the license is refused, the applicant shall notified of the reasons of refusal.

D. Import licenses of the veterinary drugs/vaccines/fodder/pigeon/land birds/rabbits:

1. The import of the following substances shall require import licenses from the Botanical and Animal Quarantine Dept. at the Ministry of Agriculture & Water:
 - a- Veterinary drugs/vaccines/fodder additives/biological substances.
 - b- Pigeon/land birds/rabbits/animal sperm.
2. Reasons of restricting those substances, except through the import licenses: in relation to substances listed in (1) they shall be registered first in the animal and botanical quarantines and there shall be need for licenses to make sure that the unregistered products are not imported. And in relation to the substances enlisted in (b) there shall be need for licenses to make sure of conformity to the guarantee requirements.
3. The application for import license shall be submitted to the Animal and Botanical Quarantines Department, supported by the following documents:
 - Copy of the importer's commercial register.
 - Copy of the invoice or preliminary invoice.
 - Detailed description/specifications of the products required to be imported.
 - Certificate of origin from the country from which import was made.
 - Copy of registration of the products shown in group (A) and (B) above.

4. The period: two days as average to issue the license in case all the documents are completed.
5. The import license shall be valid for a period of two months for the products shown in group (A) above, and for a period of one month for the products shown in group (B) above.
6. In case of rejection of the license, the reasons of refusal shall be explained in writing to the applicant, and appeal shall lie to the Ministry of Agriculture & Water. Final appeal shall lie to the Board of Grievances.

Chivalry Club

The Chivalry Club shall be competent to issue import licenses of horses. The procedures shall be as follows:

1. Any individual concerned with the import of horses to the Kingdom of Saudi Arabia shall apply to the Chivalry Club before importing. Import of horses shall be effected only by means air through a direct journey from the country of export to one of the following Saudi ports: (Riyadh/Jeddah/Dhahran).
2. Original copy of the medical certificate of the horses and traffic permit from the country of export should be attached, with an explanation by the importer containing approval to the quarantine period.
3. In case of breeding the Arabian horses, the application shall be forwarded to revision by the Arabia Horse Center, and in case they are convinced of the export/class and breeding of the horses, a report shall be prepared to the Chivalry Club which will issue an import license. If the class or origin is unconfirmed, the license shall be refused.
4. License applications for jumping horses/competition shall be forwarded for the opinion of the Saudi Chivalry Union, and upon receipt of a convincing report, the Chivalry Club shall issue the license.
5. As regards the competition horses, the Chivalry Club shall thoroughly examine the application with the required certificate, and if it is proved that it accompanied by the required certificate the license shall be issued. But in case the documents are not complete the application shall be rejected.
6. The applicant shall be notified of the reasons that led to the rejection of the license.