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GENERAL AGREEMENT ON TARIFFS AND TRADE

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REPLIES TO THE QUESTIONNAIRE ON LICENSING

PERU

Addendum

OUTLINE OF SYSTEM

1. Prior import licensing at the product level was established by Legislative Decree No. 21390 and its implementing regulations (Supreme Decree No. 028-77 (CO/CI)) in order to centralize and make more flexible the administrative procedures that had formerly been dispersed among the various sectors of the public administration.

All private sector importers must be entered in the National Register of Importers in order to be able to obtain a prior import licence at the product level for the acquisition of products coming from abroad, and provided the product concerned is included in the list of permitted imports established under Legislative Decree No. 21493; the above-mentioned list does not definitively limit import possibilities and additions to it can be made. It is designed to rationalize the range of imports in accordance with the priority assigned to the latter in the country's social and economic development process, consistently with the sector plan and programmes.

It should be noted that no prior import licence is required for imports by the public sector, under Legislative Decree No. 21738.

In the case of imports from the Andean Group under commitments deriving from the Cartagena Agreement, the list of permitted imports and prior import licensing are not applicable.

PURPOSES AND COVERAGE OF THE LICENSING

2. There is one single import licensing system, which is applicable to products included in the list of permitted imports.

3. The system applies to goods originating in and coming from third countries, i.e. countries not members of the Andean Group.

4. The prior import licensing is not designed to restrict the quantity nor the value of imports, but to rationalize, simplify and facilitate import procedures, since under the system previously in force the various formalities that had to be completed resulted in some confusion and delays, as well as documentation errors, omissions and incorrect and inaccurate declarations that hampered normal import supply.

5. The system was established under Legislative Decree No. 21390, and is statutorily required for entering into any foreign commitment.

The legislation does not leave designation of products subject to licensing to administrative discretion, since the products concerned are those included in the list of permitted imports.

Legislative approval is required for any amendment or abolition of the licensing system.

PROCEDURES

6. Imports are not subject to any restriction as to quantity or value.
7. (a) The importer submits his licence application on the basis of his needs and whenever he deems appropriate; licences are generally granted within five days at most.
(b) Yes, a licence can be granted immediately on request, provided the normal requirements are fulfilled.
(c) There are no limitations of a seasonal kind.
(d) Prior licence applications are examined by the Import Directorate of the Ministry of Industry, Commerce, Tourism and Integration, which is the only body empowered to grant licences.
8. No, except in cases where the normal established provisions are not complied with.
9. (b) Any person, firm or institution included in the National Register of Importers can import goods and inputs; the Register was established by Supreme Decree No. 150-69-EF, as subsequently amended by Supreme Decree No. 011-CO/CE and it now constitutes a list of importers.

DOCUMENTARY AND OTHER REQUIREMENTS FOR LICENCE APPLICATIONS

10. The information required in applications is that provided on the attached form (Annex 1):

- Importer's name or business style
- Number of tax passbook
- Administrative sector
- Tariff heading
- Specific code

- Description at product level
- Unit of measurement
- Quantity
- Foreign currency
- F.o.b. value in US dollars
- Total freight
- F.o.b. + freight

The importer must supply the following documents with the application:

- A copy of the approval document issued for the sector concerned (in cases where recourse is sought to liberalization under the sectoral promotion régimes).

11. Upon actual importation, the following documents are required:

- Prior import licence
- Shipping documents
- Certified copy of the sectoral priority (for products for which liberalization is sought under the provisions in force).

12. No.

13. No.

CONDITIONS FOR LICENSING

14. The period of validity is one year as from the date of issue.

The validity of a licence can be extended.

15. No.

16. They are not transferable.

17. No.

OTHER REQUIREMENTS

18. No.

19. The banks established in the country are authorized to sell foreign exchange for payment of the c.i.f. value of permitted imports and any interest and commissions arising from the financing thereof. To that end the banks must have the original shipping documents and the relevant covering letter, in accordance with customary practice in international trade. (Article V, Exchange Resolution No. 003/77-EP-90.)

The relevant requirement is the corresponding prior import licence.