

GENERAL AGREEMENT ON TARIFFS AND TRADE

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REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

YUGOSLAVIA

Revision

Information on import licensing procedures of Yugoslavia, submitted in response to the questionnaire annexed to document L/5106/Rev.2 has been made available to contracting parties in document L/5146. The present revision replaces the data previously submitted by Yugoslavia.

Outline of systems

1. Yugoslavia has one licensing system. Certain products may be imported only on the basis of an import licence obtainable in advance. This régime applies mostly to armaments and military equipment, narcotics, and products covered by the international commodity agreements in which Yugoslavia is a party.

Import licences are issued by the Federal Secretariat for Foreign Trade at the proposal of the Federal Secretariat for Market and General Economic Affairs, and after prior consultation with the respective federal authority and the general association of a respective industry.

Import licences for armaments as well as for equipment and material for production thereof in Yugoslavia are issued by the Federal Secretariat for National Defence. Import licences for narcotics are issued by the Federal Committee for Labour, Health and Social Welfare in accordance with the provisions of the Law on Production and Trade on Narcotics (Official Gazette of the SFRY, No. 55/78).

An administrative tax of Din 48.00 is charged when applying for an import licence.

Complaints may not be lodged against the issuing of import licences, but an administrative suit may be filed in accordance with the provisions of the Law on Administrative Disputes.

Purposes and coverage of licensing

2. The import licensing system is maintained for products listed in the Annex.

3. The system applies to goods originating from any country.

4. The objective of the application of licensing system is to control transactions of certain products for which Yugoslavia has assumed an obligation under international conventions and other intergovernmental agreements. (For example, narcotic drugs, coffee, sugar, cocoa) and to control transactions involving armaments and military equipment.

5. The law provides that the obtaining of licences may be prescribed for the import of certain products. However, products to which the system of restrictions is applicable are determined by the Federal Executive Council at the proposal of federal administrative bodies and after prior consultation with the general association of the respective industry.

Neither the Federal Executive Council nor any of its executive bodies may abolish the system of licences prescribed by the law, but they may cancel, change or supplement the products to which the system applies or is to be applied.

- The Law on Trade in Goods and Services with Foreign Countries (Official Gazette of the SFRY, No. 52/82).
- The Decision on Identification of Goods which are Exported and Imported on the basis of Licences and on Conditions and Manner of Issuing Licences for Export and Import of Goods (Official Gazette of the SFRY, No. 27/83).

Procedures

6. (a) For products that are imported on licence, these data are not published, since these are individual requests of the importers of particular products.

The value and quantity of goods for particular countries is not determined in advance. There is no previously established maximum value up to which an import licence can be issued to a particular importer.

- (b) When issuing a licence, a time-limit for importation can be established and the importer can always submit a new application for a licence.
- (c) Licences are issued to the users of goods regardless of whether they are producers of similar goods or not.

No special steps are taken to ensure that licences allocated are actually used for imports, with the exception that transacted business is registered with authorized commercial banks and a customs declaration is filled out during importation. Import quotas on the basis of the licence are not set up in advance, but the quantities are determined in accordance with the importer's request.

There have been no cases in the practice of the governments of exporting countries of requesting that the names of importers be made known.

- (d) There are no time-limits for the submission of applications for import licences.
- (e) The maximum length of time is twenty days. In case that within twenty days the Federal Secretariat for Foreign Trade fails to decide on request for an import licence, it will be deemed that the import licence for respective goods was issued; subsequently, within three days, upon expiration of twenty days period, the Federal Secretariat for Foreign Trade is obliged to issue a certificate replacing the import licence in question.
- (f) Import can take place immediately after the granting of the licences and at the latest until the expiration of the time-limit for which the licence has been issued.
- (g) Proposals for the issuing of licences are made by the Federal Secretariat for Market and General Economic Affairs, after consultation with the general association of the respective industry. Licences are issued by the Federal Secretariat for Foreign Trade, except for armaments and narcotics, as mentioned above. The importer applies to only one administrative organ.
- (h) Requests for import licences are considered individually and decisions are taken in view of the real needs to import certain goods and the international obligations of Yugoslavia.
- (i) Import licences are granted for goods that have been prescribed for licensing, regardless of whether goods are imported from countries to which payments are made in convertible currency or through clearing.
- (j) There are no such cases.
- (k) There are no cases in which the issuing of a licence is conditioned by the export of goods for which the licence is issued.

7. Answer given under 6.

8. Any refusal to issue a licence must be explained and requests are never turned down for any reasons other than economic ones, that is the reasons for which the licences were prescribed in the first place.

In case of rejection, the rejected party does not have the right to lodge a complaint but does have the right to file an administrative suit in court for the purpose of obtaining a decision making null and void the administrative act refusing the request for import.

Eligibility of importers to apply for licences

9. Licences exist only under the restrictive system, whereas an application for a licence may be submitted only by an organization of associated labour registered with the court as one authorized to transact foreign trade of a product or group of products for which the import licence is requested.

District courts register those organizations of associated labour that comply with the conditions stipulated in the Law on Trade in Goods and Services with Foreign Countries and charges a fee for such registration.

The list of organizations of associated labour registered for the carrying out of foreign trade transactions is published in the Official Gazette of the SFRY, in the announcements section.

Documentational and other requirements for application for a licence

10. The application for an import licence should contain the reasons for which import is requested and a description of the market situation. There is no prescribed form to which the importers must adhere in applying for an import licence. However, the Federal Secretariat for Foreign Trade is authorized to prescribe the form and documentation required when submitting an import licence application.

11. After importation is effected, no documents are submitted to the institutions that proposed the issuing of or issued the import licence. Importers submit documents on importation only to customs authorities and to the commercial bank.

12. An administrative tax of Din 8.00 is charged for a licence application and of Din 40.00 for the issuing of a licence.

13. There is no deposit requirement connected with the issuing of licences.

Conditions of licensing

14. For products which may be imported only under licence, the validity is included in the licence itself and is not prescribed in advance. The validity of a licence may be extended on the basis of a well-substantiated requirement of the importer to whom the licence was issued.

15. No penalties have been prescribed for the non-utilization of issued licences.

16. Licences are not transferable between importers, as they are issued to a specific importer.

17. No conditions other than those prescribed are attached to the issuing of a licence.

Other procedural requirements

18. For the importation of foodstuffs, approval must be obtained from a sanitary and phytosanitary service regarding the state of health of the imported products.

19. For products which may be imported only under licence, the issuing of the licence does not automatically entail the right to obtain financial resources. The securing of financial resources in general, including import under licence, depends on the balance-of-payments situation of the country.

ANNEX

Tariff No.	Description of goods
09.01/1a	Coffee, not roasted, in grain
09.01/1b	Coffee, not roasted, coffee husks and skins, other
09.01/2	Coffee, roasted
12.07/6	Poppy heads
13.03/1a	Opium saps
13.03/2a	Opium extracts
13.03/5a	Opium in powder form
17.01/1a	Beet sugar, raw
17.01/1b	Cane sugar, raw
17.01/2a-1	Beet sugar, refined
17.01/2a-2	Cane sugar, refined
17.01/2b	Refined sugar, flavoured and coloured
17.01/2c	Refined sugar, candy
18.01/1	Cocoa in the bean, raw
18.01/2	Cocoa beans, whole or broken, raw or roasted, other
18.02/1	Cocoa shells, husks, skins and waste, in round flat shape
18.02/2	Cocoa shells, husks, skins and waste, other
18.03	Cocoa paste (in bulk or in block), whether or not defatted
18.04	Cocoa butter (fat or oil)
18.05	Cocoa powder, unsweetened
29.03/2b	Nitrobenzene
29.03/2c	Dinitrobenzene
29.03/2e	Di- and tri-nitrotoluene
29.21/1b-1	Nitroglycerine
29.21/1b-2	Dinitroglycerine
29.21/1b-3	Esters of nitrogen acid, others
29.42/1a	Morphine
29.42/1b	Heroin
29.42/1c	Codeine

Tariff No.	Description of goods
29.42/1d	Thebaine
29.42/1e	Papaverine
29.42/1f	Narcotine
29.42/1g	Other alkaloids from the opium group
29.42/3a	Cocaine and its salts
36.01/1	Propellent powders, smokeless
36.01/2a	Propellent black powder, for hunting
36.01/2b	Propellent black powder, for mining
36.01/2c	Other propellent black powder
36.02/1	Prepared explosives, other than propellent powders, based on amonium nitrate
36.02/2	Prepared explosives, other than propellent powders, based on chlorates and perchlorates
36.02/3	Prepared explosives, other than propellent powders, based on nitroglycerine
36.02/4a	Other prepared explosives, other than propellent powders, based on nitrogen esters
36.02/4b	Other prepared explosives, other than propellent powders
36.04/1	Detonating fuses
36.04/2	Safety fuses
36.04/3	Detonating caps
36.04/4	Igniters
36.04/5	Detonators
49.07/2	Stocks, share and bond certificates and similar documents of title; cheque books
49.07/3	Banknotes which are not yet legal tender in any country
49.07/4	Other securities
72.01/1	Coin (other than gold coin), not being legal tender
87.08	Tanks and other armoured fighting vehicles motorized, whether or not fitted with weapons, and parts of such vehicles

Tariff No.	Description of goods
88.02/2	Helicopters
88.02/3a	Aircraft of loading capacity of up to 600 kg.
88.02/3b	Aircraft of loading capacity of over 600 kg.
88.02/4a	Aircraft for passenger traffic, with at least five seats. of an unladen weight exceeding 2,000 kg. but not exceeding 15,000 kg.
88.02/4b	Other aircraft of an unladen weight exceeding 2,000 kg. but not exceeding 15,000 kg., others
88.02/5a	Aircraft for passenger traffic, with at least five seats, of an unladen capacity over 15,000 kg.
88.02/5b	Other aircraft of an unladen capacity over 15,000 kg., others
89.01/1	Warships of all kinds
93.01	Side-arms (for example, swords, cutlasses and bayonets) and parts thereof and scabbards and sheaths therefor
93.02	Revolvers and pistols, being firearms
93.03	Artillery weapons, machine-guns, sub-machine-guns and other military firearms and projectors (other than revolvers and pistols)
93.04/1a	Rifles for hunting
93.04/1b	Other rifles
93.04/2	Starter pistols
93.04/3	Other firearms, including very light pistols, pistols and revolvers for firing blank ammunition only, line-throwing guns and the like, others
93.05/2	Air-rifles
93.05/3	Arms of other descriptions, including air, spring and similar pistols, rifles and guns, others
93.06/1	Parts of military weapons
93.06/2	Parts of other arms
93.07/1	Sporting, hunting or target-shooting ammunition and parts thereof, including bullets and shot
93.07/2	Bombs, grenades, torpedoes, mines, guided weapons and missiles and similar munition of war, and parts thereof, including cartridge wads; lead shot prepared for ammunition, others