

**GENERAL AGREEMENT ON
TARIFFS AND TRADE**

RESTRICTED

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REPLIES TO QUESTIONNAIRE ON
IMPORT LICENSING PROCEDURES

PERU

The present notification, made pursuant to GATT/AIR/1895, replaces the information on the import licensing procedures of Peru previously circulated in document COM.IND/W/55 - COM.AG/W/72/Add.68/Rev.1.

IMPORT LICENSING PROCEDURE

Outline of system

1. The prior import licence is a prerequisite for the importation of products included in the "List of Products Subject to Prior Import Licensing" and must be obtained before the corresponding payment agreement is concluded and before the date of loading. It is issued for a specific product or products, and the number of the appropriate tariff heading in accordance with the Customs Tariff in force is added for reference.

- The prior import licence is granted by the Ministry of the Economy, Finance and Trade through the Import Directorate of the General Directorate of Foreign Trade.
 - Requirements for the issue of a prior import licence:
 - (a) The product to be imported must appear in the List of Products Subject to Prior Import Licensing;
 - (b) The products must be new;
 - (c) A set of forms of application for a prior import licence, consisting of the original and four copies, must be submitted to the Import Directorate of the General Directorate of Foreign Trade or Departmental Directorates of Trade of the Ministry of the Economy, Finance and Trade, in the following order:
 - The original for the General Customs Directorate;
 - The first copy for the General Directorate of Foreign Trade, with the statutory stamps affixed;
 - The second copy for the Bank;
 - The third copy for the applicant;
 - The fourth copy for statistical purposes.
- The forms must be duly completed in Spanish with the required information, and nothing must be added or changed. They will be supplied free of charge by the Import Directorate and the Departmental Directorates of Trade;
- (d) The pro forma trade invoice or other document showing the start of the commercial transaction must be added, in the original and one copy, plus the catalogue or technical specifications from which the product can be identified if necessary;

- (e) The original of the favourable opinion of the competent Sector in accordance with the observations on the List of Products Subject to Prior Import Licensing must be added, with the exception of opinions of the Industries Sector, which will be supplied by the Import Directorate; for this purpose the technical specifications, catalogues or other documents from which the product can be described must be added.
2. The system of prior import licensing applies to the products included in the List approved by Ministerial Resolution No. 715-80-EF, as expanded and amended Annex 1).
3. A prior licence is required for restricted products referred to in Annex 1 which come from third countries.
4. The purpose of prior licensing is to regulate imports taking into account national market conditions, the need to keep the national market supplied and to safeguard the health and physical integrity of the community, and the needs of defence and national security.
5. Law, regulation and/or administrative orders:
- Decree Law No. 21390 of 1 January 1976 establishes the prior import licensing system;
 - Supreme Decree No. 006-80-ICTI/CO-CE of 19 January 1980 approves the regulations laid down by Decree Law No. 21390;
 - Supreme Decree No. 211-80-EF of 12 September 1980: a prior import licence shall be required only for products the import of which is restricted and which appear in the list approved by Ministerial Resolution No. 715-80-EF/11;
 - Ministerial Resolution No. 715-80-EF/11 of 12 September 1980 approves the List of Products Subject to Prior Import Licensing;
 - The amendments and additions to the List of Products Subject to Licensing appear in Annex 1 on page 8.

Procedures

6. For products under restriction as to the quantity or value of imports:

Not applicable, because the prior licence is authorized in the light of the opinion of the competent Sector, taking into account national market conditions and the need to keep the national market supplied.

There are no products for which licences are issued on condition that goods should be exported.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country:

- (a) Application for a prior import licence must be made before the corresponding payment agreement is concluded and before the date of loading.
- (b) A prior licence cannot be granted when the goods have arrived without the requirement of prior licensing having been met.
- (c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.
- (d) Consideration of applications for prior import licences is effected by the Import Directorate of the General Directorate of Foreign Trade.

8. Circumstances under which an application may be refused, other than failure to meet the ordinary criteria:

- Error in classification by tariff heading;
- Lack of technical specifications from which to describe and classify the product;
- Incorrectness or inconsistency of the particulars given in the application for a prior licence.

Eligibility of importers to apply for licence

9. All persons, firms and institutions are eligible to apply for licences:

- (a) Under the prior licensing system.
- (b) Under non-restrictive systems no licence is required.

Documentary and other requirements for application for a licence

10. Information required in the application:

- Importer's name or business style
- Tax passbook number

- Code of the administrative sector to which the applicant belongs
- Name of the supplier
- Address of the supplier
- Country (code) is left blank
- Country of loading
- Customs-house of clearance
- Pro forma invoice or telex number
- Tariff heading of the product
- Description of the product
- Unit of measurement
- Quantity
- Unit price in US\$
- F.o.b. value in US\$

The first box represents one prior import licence; up to five licences may be applied for on the same form (Annex 2).

Documents which the importer is required to supply with the application for a licence:

Pro forma trade invoice, telex or other document showing the start of the commercial transaction: original plus one copy.

11. Documents required upon actual importation:

- Prior import licence
- Trade invoice
- Bill of lading
- Customs-house voucher
- Animal-health or plant-health certificate, according to the nature of the product.

12. No licensing fee is charged, only revenue stamps to the value of 500 gold soles (S/500.00) per application covering up to five licences.

13. No deposit requirement is associated with the issue of prior licences.

Conditions of licensing

14. The period of validity of a licence is six (6) months from the date on which it is issued for the purpose of concluding the corresponding payment agreement. Goods reaching the Customs-houses of the Republic in compliance with the foregoing requirements may be cleared within twelve (12) months after the issue of the prior licence, with the exception of capital goods, for which the time-limit shall be thirty-six (36) months. The validity of a licence may not be extended.

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

16. Prior licences are not transferable between importers.

17. There are no other conditions attached to the issue of a licence.

Other procedural requirements

18. Other administrative procedures, apart from import licencing, required prior to importation:

The favourable opinion of the competent Sector must be obtained in accordance with the observations on the List of Products Subject to Prior Licensing.

19. Upon presentation of a prior import licence, the banking organizations automatically provide foreign exchange for goods to be imported.

It is necessary to be in possession of a prior licence in order to obtain foreign exchange if the product is subject to import restrictions.

Formalities to be completed in order to obtain foreign exchange:

(a) For documentary credits:

- Application for the opening of a credit at the Bank, with instructions as to the mode of payment to the supplier and/or as to financing;
- Supply to the Bank of a copy of the prior import licence;
- Copy of the pro forma invoice;
- Completion of a form of sworn declaration for advance classification of the credit by the Central Reserve Bank of Peru;

- Insurance policy or certificate covering transport of the goods, endorsed in favour of the Bank.

(b) Import repayments:

- Production to the Bank of a copy of the prior import licence;
- Form of sworn declaration for classification of the external credit by the Central Reserve Bank of Peru;
- The shipping documents received from abroad must be accompanied by the relevant letter of transmittal indicating the values f.o.b., freight and itemized financial expenditures (bills of exchange, promissory notes, tariff heading number etc.).

Annex 1

LIST OF PRODUCTS SUBJECT
TO PRIOR IMPORT LICENSING

KEY TO CODES:

<u>Code</u>	
(1)	Import exclusively by the public sector
(2)	Subject to prior issue of favourable opinion by the Ministry of Agriculture and Food
(3)	Subject to prior issue of favourable opinion by the General Directorate of Industries
(4)	Subject to prior issue of favourable opinion by the Ministry of Fisheries
(5)	Subject to prior issue of favourable opinion by the Ministry of Energy and Mining
(6)	Subject to prior issue of favourable opinion by the Ministry of the Interior
(7)	Subject to prior issue of favourable opinion by the Ministry of Health
(8)	Subject to prior issue of favourable opinion by the Ministry of Marine
(9)	General Directorate of Foreign Trade. Approves or rejects applications for prior import licences in accordance with the recommendation of the Special Commission established for the classification of iron and steel products and referred to in Ministerial Resolutions Nos. 079-82-EFC and 708-82-EFC.
(10)	Subject to prior issue of favourable opinion by the Peruvian Nuclear Energy Institute.

<u>Tariff heading</u>	<u>Product</u>	<u>Restriction</u>
04.02.02.01	Milk powder containing up to 1.5 per cent fat by weight	(2)
04.02.02.99	Other milk in solid form	(2)
07.01.01.01	Seed potatoes	(2)
07.01.01.02	Potatoes for consumption	(2)
10.01.01.01	Durum wheat, for sowing	(2)
10.01.01.99	Durum wheat, for other uses	(2)
10.01.02.01	Other varieties of wheat, for sowing	(2)
10.01.02.99	Other varieties of wheat, for other uses	(2)
10.01.03.00	Meslin	(2)
10.05.89.00	Only: hard yellow maize	(2)
10.06.01.00	Rice, for sowing	(2)
10.06.89.01	Rice, in the husk	(2)
10.06.89.02	Husked rice	(2)
10.06.89.03	Milled rice (bleached rice), including polished and glazed rice	(2)
10.06.89.99	Rice, other	(2)
10.07.89.02	Grain sorghum	(2)
11.01.01.00	Flour of wheat or of meslin	(2)

12.01.89.04	Soya beans	(2)
12.01.89.06	Cotton seeds	(2)
15.07.01.01	Only: Soya bean oil, crude, for the preparation of edible oil	(2)
22.08.00.02	Ethyl alcohol, denatured, of any strength	(3)
24.02.01.00	Cigars	(3)
24.02.89.02	Tobacco, cut or shredded, for the industrial, manufacture of cigarettes	(3)
24.02.89.03	Tobacco extracts and essences	(3)
26.01.89.01	Ores of uranium and thorium	(10)
26.01.89.99	Only: ores of radioactive metals	(10)
27.09.00.00	Petroleum oil, crude	(5)
27.10.01.01	Aviation spirit	(5)
27.10.01.99	Other motor spirit	(5)
27.10.02.00	Spirit-type fuels for jet engines and turbines	(5)
27.10.09.01	White spirit	(5)
27.10.09.99	Other light oils	(5)
27.10.11.01	Kerosene	(5)
27.10.11.99	Other kerosene-type fuels	(5)
27.10.19.00	Other medium oils	(5)
27.10.21.00	Petroleum oil, partly refined	(5)
27.10.22.00	Gas-oil	(5)
27.10.23.00	Fuel oil	(5)
27.11.01.01	Liquefied gas (butane and propane)	(5)
27.11.01.99	Other liquefied petroleum gases	(5)
27.11.89.00	Other gaseous hydrocarbons	(5)
28.50.00.00	Fissile chemical elements and isotopes; other radioactive chemical elements and radioactive isotopes; compounds, inorganic or organic, of such elements or isotopes, whether or not chemically defined; alloys, dispersions and cermets, containing any of these elements, isotopes or compounds	(10)
28.51.00.00	Isotopes and their compounds, inorganic or organic, whether or not chemically defined, other than isotopes and compounds falling within heading No. 28.50	(10)
28.52.00.00	Compounds, inorganic or organic, of thorium, of uranium depleted in U235, of rare earth metals, of yttrium or of scandium, whether or not mixed together	(10)
29.08.01.01	Diethyl ether	(7)
29.42.01.00	Morphine, its salts and derivatives	(7)
29.42.02.00	Diacetylmorphine, its salts and derivatives	(7)
29.42.03.00	Ethylmorphine, its salts and derivatives	(7)
29.42.04.00	Methylmorphine, its salts and derivatives	(7)
29.42.05.00	Papaverine, its salts and derivatives	(7)

29.42.09.00	Other alkaloids of the opium group, their salts and derivatives	(7)
29.42.23.00	Cocaine, its salts and derivatives	(7)
29.44.01.00	Penicillins, their salts and derivatives	(3)
29.44.04.00	Chloramphenicol, its salts and derivatives	(3)
31.02.01.00	Sodium nitrate: for other uses	(3)
31.02.08.99	Other	(2)
31.04.03.99	Potassium chloride, for industrial use	(3)
36.05.01.00	Pyrotechnic articles, for entertainment purposes (rockets, squibs, ripraps and the like)	Prohibited
48.01.01.01	Newsprint, containing less than 70 per cent of mechanical wood pulp	(3)
48.01.01.99	Newsprint, containing 70 per cent or more of mechanical wood pulp	(3)
48.01.89.41	Special-base paper for preparation of sensitized papers	(3)
49.07.00.01	Postage, revenue and similar stamps; stamp-impressed paper	(1)
49.07.00.02	Banknotes	(1)
55.01.00.00	Cotton, not carded or combed	Prohibited
55.02.00.00	Cotton linters	Prohibited
55.03.00.00	Cotton waste	Prohibited
55.04.00.00	Cotton, carded or combed	Prohibited
63.01.00.00	Old clothing	(3)
63.02.00.00	Rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables	(3)
72.01.00.00	Coin	(1)
73.06.01.00	Ingots, of iron or steel	(9)
73.07.01.00	Blooms and billets, of iron or steel	(9)
73.07.02.00	Slabs and sheet bars, of iron or steel	(9)
73.08.00.00	Iron or steel coils for re-rolling	(9)
73.09.00.00	Universal plates, of iron or steel	(9)
73.10.01.00	Wire rod	(9)
73.10.02.01	Corrugated bars and rods, of iron or steel	(3) and (9)
73.10.02.99	Other bars and rods, of iron or steel, hot-rolled or extruded	(9)
73.11.04.01	U, I or H sections, of iron or steel, less than 80 mm, hot-rolled or extruded	(9)
73.11.04.99	Other angles, shapes and sections, of iron or steel, less than 80 mm, hot-rolled or extruded	(9)

73.11.05.00	Angles, shapes and sections, of iron or steel, less than 80 mm, cold-formed or cold-finished	(9)
73.11.08.00	Angles, shapes and sections, of iron or steel, less than 80 mm, clad or worked	(9)
73.12.01.00	Hoop and strip, of iron or steel, hot-rolled	(9)
73.12.02.99	Other hoop and strip, of iron or steel, cold-rolled	(9)
73.13.02.01	Sheets and plates, of a thickness of more than 4.75 mm	(9)
73.13.02.03	Sheets and plates, of iron or steel, hot-rolled, of a thickness of less than 3 mm	(9)
73.13.02.02	Sheets and plates, of iron or steel, hot-rolled, of a thickness of 3 to 4.75 mm inclusive	(9)
73.13.03.03	Sheets and plates, of iron or steel, cold-rolled, of a thickness of 1.5 mm	(9)
73.13.03.04	Sheets and plates, of iron or steel, cold-rolled, of a thickness of less than 1.5 mm	(9)
73.13.04.00	Sheets and plates, of iron or steel, tinned (tinplate)	(9)
73.13.05.00	Sheets and plates, of iron or steel, galvanized, flat or corrugated	(9)
73.13.06.00	Other sheets and plates, of iron or steel, clad	(9)
73.15.03.00	Blooms and billets, of high-carbon steel	(9)
73.15.04.00	Blooms and billets, of alloy steel	(9)
73.18.02.05	Tubes and pipes, of iron or ordinary steel, welded, whether or not clad with other metals, of an internal diameter of not more than 100 mm	(9)
73.18.02.99	Other tubes and pipes, of iron or ordinary steel, welded	(9)
84.10.11.05	Special-type reciprocating pumps, not replaceable by those manufactured domestically	(3)
84.10.13.11	Special-type centrifugal pumps, not replaceable by those manufactured domestically	(3)
84.10.99.11	Parts for special-type pumps falling within sub-heading 84.10.13.11	(3)
84.11.02.21	Special-type compressors, not replaceable by those manufactured domestically	(3)
84.11.90.02	Parts for special-type compressors falling within sub-heading 84.11.02.21	(3)
84.59.89.01	Nuclear reactors	(10)
84.59.90.01	Parts for nuclear reactors	(10)
85.22.01.01	Particle accelerators	(10)

85.22.90.01	Parts for particle accelerators	(10)
89.01.03.01	Tankers, of any type, of a net registered tonnage of not more than 400 tonnes	(8)
89.01.03.11	Tankers, of any type, of a net registered tonnage of more than 400 but not more than 1,000 tonnes	(8)
89.01.03.99	Other tankers, of any type	(8)
89.01.89.01	Other vessels, of a net registered tonnage of not more than 400 tonnes	(8)
89.01.89.11	Other vessels, of a net registered tonnage of more than 400 but not more than 1,000 tonnes	(8)
89.01.89.99	Other vessels	(8)
93.02.00.00	Revolvers and pistols, being firearms	(6)
93.03.00.00	Weapons of war (other than those falling within headings 93.02 and 93.01)	Prohibited
93.04.01.01	Sporting and target-shooting firearms, smooth-bore, with a loading capacity of not more than two shots	(6)
93.04.01.99	Other	(6)
93.06.01.00	Parts for weapons falling within heading 93.02	(6)
93.06.02.00	Parts for weapons falling within heading 93.03	Prohibited
93.06.03.01	Barrels, smooth-bore, for weapons falling within headings 93.04 and 93.05	(6)
93.06.03.99	Other	(6)
93.07.01.99	Other ammunition for sporting and target-shooting arms	(6)
93.07.02.00	Munitions of war	Prohibited
93.07.89.01	Other ammunition for tools which operate by means of an explosive charge	(6)
93.07.89.99	Other ammunition	(6)
93.07.90.01	Parts of ammunition for articles falling within subheading 93.07.01.00	(6)
93.07.90.99	Other parts of ammunition	(6)

NOTE: Restriction Code (9) will remain in force only until 30 June 1983.

BASIS IN LAW:

Ministerial Resolution No. 715-80-EF/11 of 12 September 1980
Ministerial Resolution No. 983-80-EF/CO of 20 November 1980
Ministerial Resolution No. 986-80-EF/CO of 20 November 1980
Ministerial Resolution No. 1092-80-EF/CO of 17 December 1980
Ministerial Resolution No. 136-81-EF/11 of 29 January 1981
Ministerial Resolution No. 380-81-EF/CO of 21 April 1981
Ministerial Resolution No. 180-82-EFC/81 of 26 March 1982

Ministerial Resolution No. 079-82-EFC/16 of 20 April 1982
Ministerial Resolution No. 314-82-EFC/16 of 27 May 1982
Ministerial Resolution No. 609-82-EFC/70 of 5 October 1982
Ministerial Resolution No. 708-82-EFC/16 of 17 November 1982
Ministerial Resolution No. 846-82-EFC/80 of 10 January 1983
Ministerial Resolution No. 035-83-EFC/80 of 11 February 1983

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