

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

CANADA

The following notification has been received from the delegation of Canada in response to the questionnaire annexed to document L/5640. The present document revises and updates data previously made available in document L/5126/Rev.1.

Page 1: Delete last sentence and replace with:

"The notification covers import licensing measures in force as of 30 June 1984."

II EXPLOSIVES ACT: Replace entire section (pages 7-9) with the following:

" II EXPLOSIVES ACT

EXPLOSIVES

OUTLINE OF SYSTEM

1. The importation of explosives is governed by the Explosives Act and Regulations administered by the Department of Energy, Mines and Resources. The legal definition of explosives includes blasting explosives, detonators, propellants, sporting and industrial cartridges, and all types of fireworks and pyrotechnic devices. Before an explosive may be imported it must be declared an authorized explosive by the Chief Inspector of Explosives appointed under the Explosives Act. The process of authorizing an explosive consists of the manufacturer submitting data on the nature and composition of the explosive and on its packaging and markings. Samples are usually required for laboratory examination. The criteria for authorization are based on the safety characteristics of the explosive substances or articles during handling, storage, transport and use, and to confirm that the classification is in conformity with the recommendations of the Committee of Experts on the Transport of Dangerous Goods as adopted by the Economic and Social Council (ECOSOC) of the United Nations.

PURPOSE AND COVERAGE OF THE LICENSING

2. Once an explosive is authorized any person may import it into Canada provided he has the proper storage facilities for the type and quantity of explosives in question. Two kinds of importation permits are issued, a general permit issued for a specific quantity in one shipment, and an annual permit issued for unlimited shipments during a twelve month period of explosives that constitute only a limited hazard to the general public or that are used in a manufacturing process. In addition, special permits may be issued for small quantities required for purposes of chemical analysis or scientific research.

3. The system applies to explosives from all countries.

4. The system is intended only to ensure that the same degree of safety exists with imported explosives as with those of domestic manufacture. There is no intent whatsoever to restrict quantity or value of the explosives imported.

5. The Explosives Act, R.S., c. E-15 amended by 1974-75-76, c. 60 and the Explosives Regulations, C.R.C., C. 599 as amended. The system is a statutory requirement which does not convey any administrative discretion and would require legislative approval to be abolished.

PROCEDURES

6. Not applicable.

7. (a) The import permit is normally issued within twenty-four hours if the explosive has been previously authorized and facilities exist in Canada for the safe and secure storage of the quantity being imported. Permits may be obtained in a shorter time but nevertheless should be on hand when shipment arrives at Customs to prevent dangerous accumulations. Naturally delays will occur if the explosive has not been authorized previously.

(b) Permits may be granted immediately on request provided all is in order.

(c) There are no limitations as to the period of the year during which an application for an importation permit may be made.

(d) The importer need only approach the Explosives Branch of Energy, Mines and Resources. No other administrative organs are involved.

8. An application for an explosives importation permit may only be refused for failure to meet safety criteria. Reasons for such refusal would be given to the applicant who would have the right of appeal to the Minister of Energy, Mines and Resources under subsection 17(2) of the Explosives Act.

ELIGIBILITY OF IMPORTERS TO APPLY FOR LICENSE

9. Any importer who has satisfied the requirements of the Explosives Regulations relative to the storage, transport, sale, purchase and possession of the explosive to be imported may apply for an importation permit.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENSE

10. The Forms of application and permits to import explosives are included in Schedule II Forms 13 to 17 inclusive of the Explosives Regulations.¹

11. The importers Transmission Schedule (Form 16) is required to be prepared in duplicate by the importer and presented to the Customs Officer at the point of entry for verification and forwarding of one copy to the Explosives Branch of Energy, Mines and Resources.

12. The present fee is \$1.00 regardless of the kind of importation permit or the quantity to be imported.

13. Other than the fee, there is no deposit nor advance payment associated with the issuance of an importation permit.

CONDITIONS OF LICENSING

14. Explosives importation permits are valid for twelve months from month of issue. The permit may be renewed but not extended.

15. There is no penalty for the non-utilization of an explosives importation permit.

16. Permits are not transferable between importers.

17. There are no conditions attached to the issuance of an explosives importation permit relative to quantitative restrictions.

OTHER PROCEDURAL REQUIREMENTS

18. There is a requirement to have the explosive tested and authorized prior to applying for importation.

19. Not applicable.

¹ An Office Consolidation of the Explosives Act and Explosives Regulations with amendments is available for reference in the Secretariat (Centre William Rappard, Office no. 1059).

V - ANIMAL DISEASE AND PROTECTION ACT

Reply no. 1, page 15: replace with -

"1. For importation from countries other than the U.S.A. a permit is required for all animals (except domesticated dogs and cats), semen, birds, and veterinary biologics. For importation from the U.S.A. a permit is required for the following: semen, veterinary biologics, psittacine birds, monkeys, turtles, skunks, foxes, ferrets and raccoons."

Reply no. 14, page 16: replace with the following -

"14. Usually three months but will often vary depending on the species of animal and purpose of importation. Yes, upon request by the importer."

VIII - EXPORT AND IMPORT PERMITS ACT

OTHER RESPONSES - BY-PRODUCTS GROUPS

(1) CLOTHING & HANDBAGS

Replace pages 35 and 39 with the following tables (see Annexes I and II, respectively).

(3) FOOTWEAR

Reply no. 4(a), pages 40 and 41: replace second sub-paragraph with the following -

"However, import permits are granted freely on request for the following products which are under surveillance:

- Cowboy Boots - whose value for duty exceeds \$50.00/pair
- Golf Shoes
- English Riding Boots (i.e. leather riding boots)
- Orthopaedic Footwear
- Climbing and Hiking Boots - whose value for duty exceeds \$40.00/pair
- Moto-Cross Racing Boots
- Bowling Shoes
- Highland Dancing Pump or Jig Shoes
- Beach-type Sandals
- Waterproof Plastic Footwear
- Downhill Ski Boots
- Women's Footwear of size 10¹/₂ (metric size 43) and over
- Cycling Shoes
- Weight Lifting Boots
- Boxing or Wrestling Boots

Shotput and Discus Shoes
Non-leather Spiked Footwear
Non-leather Cleated Baseball Footwear
Non-leather Footwear with Detachable Studs
Non-leather Vulcanized Squash Shoes
Non-leather Vulcanized Volleyball Shoes
Leather Shoes and Sandals with value for duty of at least \$45.00 (Cdn)
per pair

Note: Effective December 1, 1984, the price point will be \$40.00.

Leather Boots with value for duty of at least \$75.00 (Cdn) per pair

Note: Effective December 1, 1984, the price point will be \$67.00

Reply no. 6, page 41

Change: "11.4 million pairs" to "11.7 million pairs";
Change: "35.1 million pairs" to "36.2 million pairs";
Change: "December 1, 1982 to November 30, 1983" to "December 1, 1983
to November 30, 1984"; and
Change: "December 1, 1983 to November 30, 1984" to "December 1, 1984
to March 31, 1985".

(4) DAIRY PRODUCTS

Reply no. 6.1, pages 45 and 46

Delete the first two sub-paragraphs on page 46, and insert:

"- List of traditional cheese importers can be made available
upon request."

(5) TURKEY, EGGS AND CHICKEN

Reply no. 6(c), pages 50 and 51

Delete the first two sub-paragraphs on page 51, and insert:

"- Names of importers to whom allocations and permits have been given
are made known to any party, upon request."

Reply no. 6(k), page 51

Delete, and replace with:

"(k) In certain cases permits may be issued to allow applicants to bid competitively on export contracts."

Reply no. 18, page 51

Add to the sentence: "..... and to the Department of Agriculture."

(6) SUGAR AND COFFEE

Reply no. 1, page 52: add the following sentence -

"Sugar may be removed from the list as to December 31, 1984 pursuant to the new administrative International Sugar Agreement, in which case import permits will no longer be required for sugar."

Reply no. 11, page 53: replace with -

"11. For coffee, the import permit as well as the valid ICO certificate (Form O, R, RS or T) are the only documents required.

For sugar, the import permit, the valid ISO certificate of contribution as well as the customs entry form are the only documents required."

(7) WHALE PRODUCTS AND BY-PRODUCTS

Reply no. 7, page 55: replace (d) with -

"(d) Permit applications are processed by two administrative organizations.

- Applications for permits to import whales, whale products or whale apparatus are considered by the Special Trade Relations Bureau of the Department of External Affairs, by the Canadian Wildlife Service of the Department of the Environment and by the Resource Research Branch of the Department of Fisheries and Oceans.

ANNEX I

Replacement Table for page 35

1984 LICENSING REQUIREMENTS - CLOTHING AND HANDRAGS

| Control No | Product | 245 Bulgaria | 246 Cze. Hun. | 262 Hun. Pol. | 277 Rom. Pol. | 279 Rom. Pol. | 417 Rom. Pol. | 513 Sri Lanka | 516 Hong Kong | 519 India | 524 Malay. | 527 Pakistan | 528 Sin. | 553 China | 556 Indo. Kor. | 564 Kor. | 567 Phi. Mac. Tai. | 575 Mac. Tai. | 578 Tai. | 583 Thailand |
|------------|------------------------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------|------------|--------------|----------|-----------|----------------|----------|--------------------|---------------|----------|--------------|
| 31 | Work Gloves | | | | | | | R | R | | | R | | R | | | R | | R | R |
| 32 | Outerwear | CL | | | R | | | | R | | | | R | R | R | R | R | R | R | R |
| 34 | Hosiery | | | | | | | | | | | | R | R | R | R | R | R | R | R |
| 37 | Pants | CL | R | | R | | | R | R | R | R(6) | R | R | R | R | R | R | R | R | R |
| 39 | Shirts Blouses T-Shirt | | | | | | | | | | | | | | | | | | | |
| 40 | Sweat-shirts Sleepwear | CL(5) | | | R | R | R | R | R | R | R(5) | R | R | R | R | R | R | R | R | R |
| 41 | Rainwear | CL | | | R | R | R | | EA | | | | | | | | | | | |
| 42 | Sports wear | | | | R | R | R | | EA | | | | | | | | | | | |
| 43 | Foundation garments | | | | | | | | R | R | | R(3) | R | R | R | R | R | R | R | CL |
| 44 | Swimwear | | | | | | | | R | | | | | | | | | | | |
| 45 | Underwear | | | | | | | | R | | | | | | | | | | | |
| 46 | Coats & Jackets | R | | | R | R | R | R(4) | R(2)EA | R(4) | | | R(4) | R | R | R | R | R | R | R(4) |
| 47 | Fine Suits, Blazers | | | | | | | | EA | | | | | | | | | | | |
| 49 | Tailored Coats, Shirts | R | | | R | R | R | R | EA | | | | R | CL | R | R | R | R | R | R |
| 50 | Sweater | R | | | R | R | R | R | R | R | R | R | R | R | R | R | R | R | R | R |
| 58 | Handbags | | | | | | | | EA | | | | | | | | | | | |

R = Restraint; CL = Consultation Level; EA = Export Authorization
All items not under restraint are under surveillance

- (1) Restraint for MHWG only; EA for bathrobes etc. MHWG and all CI sleepwear.
- (2) Jackets, prof. and shop coats only.
- (3) Dresses and shirts only.
- (4) Jackets, only.
- (5) Blouses, Shirts, WCCI only.
- (6) Excludes overalls/coveralls.

ANNEX II

Replacement table for page 39

1984 LICENSING REQUIREMENTS - TEXTILES

| Control No | Description | 246 Cze. | 277 Pol. Rom. | 516 Hong Kong | 519 India | 524 Malay. | 527 Pakistan | 528 Sin. | 553 China | 564 Korea | 567 Phi. | 578 Taiwan | 752 Brazil | 782 Uruguay |
|------------|------------------------------------|----------|---------------|---------------|-----------|------------|--------------|----------|-----------|-----------|----------|------------|------------|-------------|
| 15 | Cotton yarn | | | EA | | | | | | | | | | |
| 22 | Polyester Fabric | R | | EA | | | | | | R | | R | | |
| 24 | Acrylic Yarn | | | | | R | | R | | R | CL | R | R | |
| 25 | Wool/Wors- ted Fabric | R | R | | R | | | | R | R | | R | | R |
| 26 | Nylon Fabric | | R | EA | | | | | | R | | R | | |
| 27 | Polyester Yarn | | | EA | | | | | | R | | R | | |
| 29 | Toilet Linen | R | R | R, EA | R | | R (7) | | R | R | | R (7) | | |
| 51 | Sheets | CL | | R | | | | | R | R | | R | | |
| 52 | Pillowcases | | | EA | | | | | R | R | | R | | |
| 60 | Rayon Nylon & mixed fibre yarns | | | EA | | | | | | | | | | |
| 61 | Cotton Fabric | | | R (3) | | | | | (1) CL | R (4) | | R | | |
| 62 | Broadwoven Fabric | | R | EA | | | | | | R (5) | | R | | |
| 63 | Coated Fabric | | | | | | | | | R | | R | | |
| 64 | Household Textiles NOP | CL | | | | | | | R (2) | | | | | |
| 65 | Cordage, Rope & Twine | | | | | | | | | R | | | | |

R = Restraint; EA = EA = Export Authorization; CL = Consultation Level

* Global Surveillance: (a) Polyester Filament Fabric

(b) All types of machine and hand knitting yarns containing 50% more by weight of acrylic fibres.

(c) Fabric containing 17% or more by weight of wool from all sources.

(1) Denim & Corduroy only.

(2) Bedding & Blankets.

(3) Denim.

(4) Rayon & Nylon.

(5) Rayon & Blended.

(6) Sheets pillowcases, towels, wash cloths sets.

(7) Includes Bar Mops.

STRO July/84

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