

# GENERAL AGREEMENT ON

## TARIFFS AND TRADE

RESTRICTED

L/5640/Add.34/Rev.1

5 October 1988

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### REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

#### PERU

The following notification has been received from the delegation of Peru in response to the questionnaire on import licensing procedures annexed to document L/5640/Rev.4. The present document updates and replaces the information appearing in L/5640/Add.34, Corr.1 and Suppl.1.

#### Import Licensing Procedure

##### Outline of system

1. A prior import licence is a prerequisite for the import of goods. It is issued for the product concerned and bears for reference purposes the tariff heading number of the product in the current Tariff Nomenclature.

A prior import licence is granted by the Import Management of the Foreign Trade Institute (ICE).

The requirements for seeking a prior import licence are as follows:

- (a) The application should be accompanied by the pro forma invoice or other documentary evidence of the commercial transaction and, where necessary, by additional information such as catalogues or technical specifications by which the product can be identified;
- (b) The products should be new save in exceptional cases specified by the relevant legal provisions;
- (c) The product should not appear in the list of prohibited imports, subject to the exceptions specified in the rules on the subject;
- (d) The importer should be on the National Register of Importing Undertakings.

##### Purposes and coverage of the licensing

2. Prior import licensing applies in general to all products which do not appear in the list of prohibited imports approved by Supreme Decree No. 068-87-PCM (L/6208).

3. The system applies without discrimination as to country of origin except in the case of imports originating from countries which are members of the Andean Group to which the Andean Group Register of Imports applies for statistical purposes.

4. Purpose:

To ensure the normal supply of essential goods for the population and to keep productive activities in operation, making sure that the available foreign exchange is used in a manner compatible with the objectives of development.

5. Legal basis:

- Supreme Decree No. 097-87-PCM of 16 September 1987 approving the régime of prior licensing for all import operations;
- Resolution 297-87-ICE of 14 October 1987 approving the Prior Import Licensing Regulations;
- Supreme Decree No. 034-86-ICTI.IND of 24 September 1986 establishing the global prior import licence for State undertakings which apply for it;
- Supreme Decree No. 068-87-PCM of 20 June 1987 approving the list of prohibited imports;
- Supreme Decree No. 017-87-PCM of 17 February 1987 permitting admittance to the country of goods for which the prior licence has expired or was not obtained in time;
- Supreme Decree No. 058-87-PCM of 2 June 1987 exempting imports of machinery and equipment from the prior licensing requirement;
- Supreme Decree No. 096-87-PCM of 16 September 1987 providing that importers in the transport and communications sector and the health sector may import spare parts for machinery and equipment without the requirement of a prior licence;
- Act No. 24717 of 11 September 1987 authorizing the Ministry of Health and the Peruvian Social Security Institute to import medicaments without the requirement of a prior licence;
- Supreme Decree No. 003-88-PCM of 12 January 1988 establishing the National Register of Importing Undertakings;
- Supreme Decree No. 028-88-PCM of 9 March 1988 establishing the Andean Group Register of Imports.

All imports are subject to the prior import licensing requirement.

Entries in, deletions from or amendments to the list of products subject to prior licensing are made by Supreme Decree endorsed by the President of the Council of Ministers.

The Executive is empowered to abolish the system without being required to obtain the consent of the Legislative Power.

#### Procedures

6. Global prior import licence:

- It is issued only to State undertakings which apply for it, or establish that the products are intended for projects of national interest and meet with the favourable opinion of the General Directorate of Industries;
- The status of project of national interest is conferred by the competent sector by Ministerial Resolution;
- The global prior import licence will be valid for twelve months and may be extended for an additional term of six months.

7. (a) The prior import licence is processed before the import operation is carried out; it should be obtained before the corresponding promissory note is made out and before the date of loading.

The Central Operations Management is empowered to authorize final admittance to the country of goods for which the prior licence has not been obtained before the date of loading or before the corresponding promissory note has been made out.

(b) Yes, in cases where urgency is duly proved.

In order to ensure normal supply to productive activity in the transport and communications sector and the health sector, the prior licensing requirement is waived on imports of spare parts for machinery and equipment for those sectors up to an amount of US\$3,000 on each occasion and up to a total limit of US\$10,000 per importer and per calendar quarter.

Furthermore, in cases where there is a shortage of medicaments on the home market and in health institutions, the Ministry of Health and the Peruvian Social Security Institute are authorized to import directly, without the requirement of a prior import licence, generic medicaments of which the supply is exhausted.

(c) There are no limitations of this kind.

(d) Applications for licences are examined by the Import Management, which is empowered to co-ordinate with the competent sectors as it sees fit.

The importer has to approach another administrative organ solely in order to import the following products (see the reply to question 18):

- ingredients used in the preparation of pharmaceutical products for human use;
- new shipping;
- products connected with radioactive substances and equipment generating radiation;
- arms and ammunition for private use;
- vegetable products and sub-products;
- animals and animal products and sub-products.

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

- error in the classification by tariff heading;
- lack of technical specifications for the description and/or classification of the product;
- inaccuracy or inconsistency of the particulars given in the application and/or annexed documentation;
- error in identifying the applicant.

The applicant is notified of the rejection and the grounds therefore and has the right to appeal to the Import Management for reconsideration.

Eligibility of importers to apply for a licence

9. All undertakings or institutions on the National Register of Importing Undertakings and individuals who import up to US\$1,500 are entitled to apply for prior import licences.

Documentary and other requirements for application for a licence

10. Information required in applications (Annex 1):

- name of the importer or of his firm;

- importer's address;
- tax passbook number;
- name of the vendor or of his firm;
- vendor's address;
- administrative sector;
- mode of transport;
- country of loading;
- customs house of clearance;
- number of application;
- currency;
- tariff heading of the product;
- description of the product;
- unit of measurement;
- quantity;
- unit price;
- value f.o.b.;
- total c & f.

The importer is required to supply the following with the application:

- pro forma commercial invoice, telex or any document establishing the start of the commercial transaction, in the original plus one copy;
- catalogue or technical specifications of the product;
- prior authorization if required (see the reply to question 18).

11. Documents required upon actual importation:

- bill of lading or air or land waybill as the case may be;

- commercial invoice;
- sworn customs declaration;
- certificate of origin if necessary;
- import insurance policy;
- prior import licence.

12. There are no licensing fees or administrative charges.

13. No deposit or advance payment requirement is associated with the issue of licences.

Conditions of licensing

14. The period of validity of a licence is six months from the date of its issue.

Products reaching the Customs of the Republic after the expiry of their prior import licence may be cleared when the import is supported by a letter of irrevocable credit, cheque or cash payment voucher made out while the prior import licence was in force. In order to qualify for this provision, not more than eight months must have elapsed since the issue of the said prior licence except in the case of capital goods, for which the time-limit shall be twelve months. Prior licences are automatically extended for two months when their validity expires.

The Central Operations Management is empowered to authorize final admittance to the country of goods for which the prior licence has expired.

15. There is no penalty.

16. The prior import licence is transferable by way of exception and only for purposes of customs clearance; it may be transferred to third parties if they enjoy some form of régime, established by express rule, exempting them from import duties.

17. Other conditions attached to the issue of a licence:

- Where the product is loaded in bulk and reaches the Customs in a quantity not exceeding 10 per cent of that shown in the prior licence, it may be cleared without meeting any further conditions.
- When the prior licence has been partly used, it remains valid for the remainder provided that the promissory note is shown to have been made out while the licence was in force and that the time-limits mentioned in the reply to question 14 have been complied with.

Other procedural requirements

18. Administrative procedures preceding that of prior import licensing:

- (a) The importation of ingredients used in the preparation of pharmaceutical products for human use is subject to prior approval by the General Directorate of Pharmacy of the Ministry of Health.
- (b) The procurement of new shipping is subject to prior authorization as follows:
  - Supreme Decree endorsed by the Ministries of Defence, Transport and Communications, Economic Affairs, Finance and Industry, Home Trade, Tourism and Integration in the case of seagoing merchant vessels. The expression "seagoing vessels" means vessels of 2,000 DWT or over, DWT = deadweight tons, is a measurement of displacement; 1 DWT = 2,240 lbs.
  - Ministerial Resolution of the Ministry of Defence in the case of larger vessels of over 500, GRT, GRT = gross register tons, is a measurement of volume; 1 GRT = 100 cubic feet;
  - Directorial Resolution of the General Director of Harbours and Coastguard in the case of smaller vessels of 500 GRT or less.
- (c) The importation of products connected with radioactive substances and equipment generating radiation is subject, as a mandatory requirement, to the prior opinion of the Peruvian Nuclear Energy Institute.
- (d) The importation of arms and ammunition for private use is subject to authorization by the Directorate of Control of Weapons, Ammunition and Explosives for Civilian Use, a branch of the Ministry of the Interior, in the form of a Directorial Resolution.
- (e) The importation of vegetable products and sub-products requires a phytosanitary import permit issued by the General Directorate of Agriculture and Stock-Breeding of the Ministry of Agriculture.
- (f) Imports of animals and animal products and sub-products shall be effected after obtaining a zoo-sanitary import permit issued by the General Directorate of Agriculture and Stock-Breeding of the Ministry of Agriculture.

19. In order to deal with cancellations of imports, the banking authorities will require the presentation of a payment authorization from the Central Reserve Bank of Peru.

Possession of a prior licence is a prerequisite for obtaining such a payment authorization.

The available foreign exchange is intended primarily for covering the population's requirements of essential goods and for keeping productive activities in operation.

Applications for a payment authorization are to be submitted to the Central Reserve Bank of Peru through the workings of the country's financial system; each application should be accompanied by a copy of the prior import licence.





INSTITUTO DE COMERCIO EXTERIOR - PERU  
GERENCIA CENTRAL DE OPERACIONES  
GERENCIA DE IMPORTACIONES

020607

# SOLICITUD DE LICENCIA PREVIA DE IMPORTACION

3. N° DE SOLICITUD

CONDICION

1- INTERNAMIENTO DEFINITIVO  
2- MERCADERIA EMBARCADA  
3- INTERNAMIENTO TEMPORAL  
4- ADMISION TEMPORAL

1

FORMA DE PAGO

1- CON USO DE DIVISAS  
2- SIN USO DE DIVISAS  
3- CANCELABLE CON CBME

2

4. NOMBRE O RAZON SOCIAL DEL IMPORTADOR

5. DIRECCION DEL IMPORTADOR

6. N° DE TELEFONO

7. LIBRETA TRIBUTARIA

8. NOMBRE O RAZON SOCIAL DEL VENDEADOR

9. DIRECCION DEL VENDEADOR

10. CODIGO

11. SECT. ADM.

12. MEDIO DE TRANSPORTE

13. PAIS DE EMBARQUE

14. CODIGO

15. ADUANA DE DESPACHO

16. CODIGO

17.  FACTURA / PROFORMA  
 TELEX  
 CATALOGO O ESPECIFICACIONES TECNICAS

18. MONEDA

19. PARTIDA ARANCELARIA	20. N° ITEM	21. DESCRIPCION	22. UNIDAD DE MEDIDA	23. CANTIDAD	24. PRECIO UNITARIO	25. VALOR
1						
2						
3						
4						
5						
6						

26. SUMA DE CONTROL	27. OTROS GASTOS
28. SUB-TOTAL	29. DESCUENTOS
30. TOTAL FOB	31. FLETE
32. TOTAL CAF	

EL PRESENTE DOCUMENTO TIENE CARACTER DE DECLARACION JURADA

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FIRMA DEL SOLICITANTE

OBSERVACIONES

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INSTRUCCIONES

- A. La solicitud se llenará en original y copia.
- B. Adjuntar a la solicitud, original y dos copias de: Factura proforma, télex u otro documento que evidencie la transacción comercial. Igualmente se deberá adjuntar copia de catálogos, folletos o especificaciones técnicas que permitan una clara identificación del producto a importar cuando sea necesario. Los que permanecerán en los archivos del ICE.

Tratándose de importaciones sin uso de divisas o de carácter comercial, sólo será necesario consignar el valor referencial de la mercadería, sin acompañar documento alguno.

- C. La solicitud comprenderá partidas arancelarias con la misma condición de la operación y forma de pago.

- D. La solicitud se llenará de la siguiente manera:

- Recuadro 1: Registrar el dígito que corresponde a la condición de la mercadería a importar.
- Recuadro 2: Registrar el dígito que corresponde a la forma de pago de la operación.
- Recuadro 3: NO LLENAR
- Recuadro 4: Registrar apellidos y nombres si es personal natural o razón social si es persona jurídica, del importador.
- Recuadro 5: Registrar la dirección del importador.
- Recuadro 6: Registrar el número de télex del importador.
- Recuadro 7: Registrar el número de la libreta tributaria del importador.
- Recuadro 8: Registrar apellidos y nombres si es persona natural o razón social si es persona jurídica del vendedor en el exterior.
- Recuadro 9: Registrar la dirección del vendedor.
- Recuadro 10: Registrar el código del país del vendedor, según cartilla publicada en las oficinas de recepción.
- Recuadro 11: Registrar la letra que corresponda a la actividad económica del importador:

- |                        |                      |                           |
|------------------------|----------------------|---------------------------|
| A. Agricultura         | F. Transporte y Com. | J. Educación              |
| B. Industria y Turismo | G. Vivienda          | N. Otros no especificados |
| C. Pesquería           | H. Comercio          |                           |
| E. Energía y Minas     | I. Salud             |                           |

- Recuadro 12: Registrar el medio de transporte por el que se enviará la mercadería.
- Recuadro 13: Registrar el nombre del país en el que se embarcará la mercadería.
- Recuadro 14: Registrar el código del país de embarque, según cartilla publicada en las oficinas de recepción.

Recuadro 15: Registrar el nombre de la aduana por donde se despachará la mercadería a importar.

Recuadro 16: Registrar el código de la aduana:

235 Aerop. "Jorge Chávez"	226 Iquitos	208 Pt. Maldonado
154 Arequipa	145 Mollendo-Mat	181 Puno
118 Callao	073 Pacasmayo	082 Salaverry
091 Chimbote	046 Paita	136 San Juan
190 Cuzco	055 Pimentel	037 Sullana
064 Eten	127 Pisco	172 Tacna
109 Huacho	244 Postal de Lima	028 Talara
163 Ilo	217 Pucallpa	019 Tumbes

Recuadro 17: Marcar con una "X" los documentos que se adjuntan, así como el número de los mismos.

Recuadro 18: Registrar el código de la moneda en que se efectúa la transacción:

001 marco alemán	034 libra nigeriana
002 peso argentino	035 corona noruega
003 dólar australiano	036 rupia pakistaní
004 chelín austriaco	038 escudo portugués
005 dólar de las Bahamas	039 rand sudafricano
006 franco belga	040 corona sueca
007 dólar de Bermuda	041 franco suizo
008 cruzeiro	042 peso uruguayo
009 dólar canadiense	043 bolívar venezolano
010 rupia de Sri Lanka	044 dólar de EE.UU.
011 peso chileno	045 quetzal guatemalteco
012 peso colombiano	046 dólar de Trinidad y Tabago
013 corona danesa	048 sucre ecuatoriano
014 libra egipcia	049 balboa panameño
015 peseta española	050 corona checoslovaca
016 peso filipino	051 libra israelí
017 marco finlandés	052 zloty polaco
018 franco francés	053 franco luxemburgués
019 libra esterlina	054 colón costarricense
020 dracma	055 dólar taiwanés
021 florín holandés	056 florín Antillas Holand.
022 dólar de Hong Kong	057 franco Liechtenstein
023 rupia indú	058 rand Botswana S. Africa
024 inti	059 yuan China Comunista
025 rupia indonesia	060 dinar yugoslavo
027 lira italiana	061 leu rumano
028 dólar de Jamaica	062 dólar portorriqueño
029 yen japonés	063 libra sudanesa
030 libra libanesa	064 florín húngaro
031 dólar malayo	065 guaraní paraguayo
032 peso mexicano	066 rial iraní
033 dólar neozelandés	067 franco malgache

068 peso boliviano	078 rands Swazilandia
069 dólar guyanés	079 lempira hondureña
070 peso cubano	080 escudo mozambiqueño
071 rublo ruso	081 ley búlgaro
073 won coreano Hsur	082 dólar singapur
074 kwacha zambiano	083 corona islandesa
075 takas Bangladesh	084 libra turca
076 córdoba nicaragüense	086 dinar kuwaití
077 colón salvadoreño	

- Recuadro 19: Registrar la partida arancelaria que, según el Arancel de Aduanas le corresponde al producto a importar.
- Recuadro 20: Registrar el número del ítem que corresponde al (los) producto(s), según figura en la factura proforma, télex, etc.
- Recuadro 21: Registrar la descripción del producto a importar lo más detalladamente posible y en idioma español.
- Recuadro 22: Registrar el código que corresponde a la unidad de medida utilizada:

01 unidad	20 Cj. 24/16 onz.	54 gramo (gr.)
02 par	21 Cj. 24/20 onz.	55 libra (lb.)
03 docena	22 Cj. 24/10 onz.	56 onza (onz.)
04 juego	23 Cj. 24/10.5 onz.	61 litro (lt.)
05 Cj. 120/75 gr.	24 Cj. 6/4 lb.	62 galón (gln.)
06 Cj. 100/125 gr.	25 Cj. 6/1885 gr.	63 B/42 (gln.)
07 Cj. 80/125 gr.	26 Cj. 10 kg.	64 metro cúbico (M3)
08 Cj. 48/3.5 onz.	27 Cj. 20 kg.	65 pies 3
09 Cj. 48/6 onz.	28 millar	71 pies 2
10 Cj. 48/170 gr.	29 cono	72 metro cuadrado (M2)
11 Cj. 48/7 onz.	30 guesa	73 pulgada 2
12 Cj. 48/198 gr.	31 cajas (Cj.)	81 metro (m.)
13 Cj. 48/0.5 lb.	32 frascos	82 yarda (yd.)
14 Cj. 48/1 lb.	33 decenas	83 pie
15 Cj. 48/8 onz.	34 cientos	84 kilómetro (Km.)
16 Cj. 48/14 onz.	35 rollos	85 sacos
17 Cj. 48/15 onz.	51 kilogramo (kg.)	86 resmas
18 Cj. 49/16 onz.	52 quintal (Qq.)	98 varios
19 Cj. 24/15 onz.	53 tonelada métrica (TM)	99 no declarados

- Recuadro 23: Registrar la cantidad de cada producto a importar.
- Recuadro 24: Registrar el precio unitario, consignado en el (los) documento(s) que se adjunte(n), en la moneda de la transacción comercial. En caso de que la cotización sea en términos de costo y flete, deberá desagregarse el flete para consignarlo en el recuadro 31.
- Recuadro 25: Registrar el valor de la importación, resultado de multiplicar el recuadro 23 por el recuadro 24.

- Recuadro 26: Registrar la suma aritmética de las partidas arancelarias. (Servirá de control para efectos de digitación).
- Recuadro 27: Registrar el importe de otros gastos incurridos en la importación, para elevar la cotización, a valores f.o.b.
- Recuadro 28: Registrar el resultado de sumar los importes registrados en la columna 25 más el recuadro 27.
- Recuadro 29: Registrar el total de descuento que le otorga el vendedor por los productos a importar.
- Recuadro 30: Registrar el valor resultante de deducir al recuadro 28 el recuadro 29.
- Recuadro 31: Registrar el importe estimado del flete.
- Recuadro 32: Registrar el valor total de la suma de los recuadros 30 y 31.