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REPLIES TO THE QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

TURKEY

Revision

The following revised notification¹ has been received from Turkey in response to the questionnaire on import licensing procedures annexed to L/5640/Rev.5. It updates and replaces document L/5640/Add.29/Rev.3. A new list of the products subject to the import permit system is attached in the Annex.²

REPONSES AU QUESTIONNAIRE RELATIF AUX PROCEDURES
EN MATIERE DE LICENCES D'IMPORTATION

TURQUIE

Révision

La délégation de la Turquie a fait parvenir au secrétariat la notification révisée ci-après¹ en réponse au questionnaire relatif aux procédures en matière de licences d'importation annexé au document L/5640/Rev.5. Cette notification met à jour et remplace le document L/5640/Add.29/Rev.3. Une nouvelle liste des produits dont l'importation est soumise à autorisation est jointe en annexe.²

RESPUESTAS AL CUESTIONARIO SOBRE PROCEDIMIENTOS
PARA EL TRAMITE DE LICENCIAS DE IMPORTACION

TURQUIA

Revisión

Se ha recibido de la delegación de Turquía la siguiente notificación revisada¹ en respuesta al cuestionario sobre los procedimientos para el trámite de licencias de importación anexo al documento L/5640/Rev.5. El presente documento actualiza la información que figura en el documento L/5640/Add.29/Rev.3, al que reemplaza. Como anexo se adjunta una nueva lista de los productos sujetos al sistema de permiso de importación.²

¹English only/Anglais seulement/Inglés solamente

²French only/Français seulement/Francés solamente

Import Licensing Procedures

1. As a result of the import liberalization policy which was first put into effect in January 1984, the list of goods subject to permits is revised every year (see Annex). Companies wishing to import goods included in that list which at the moment covers 17 items, need to apply to the Under-Secretariat for Treasury and Foreign Trade. The application must contain information on the good's characteristics, the quality to be imported and its value, as well as its tariff position. Having examined the application, the Under-Secretariat issues the permit.

In order to facilitate this procedure, permits for goods to be imported by industrialists and exporters for their own production and export activities, and whose value does not exceed US\$ 25,000 annually, can be issued by the Chambers or Exporters Union (Union) to which they belong.

Moreover, permits for goods to be imported by minor industrialists or producers who are the members of Chambers, international transportation firms, tourism companies possessing the tourism certificate and exporters not a member of the Union for their own production or activities and whose value does not exceed US\$ 10,000 annually, can be issued by the Chambers which they belong.

Permits are issued upon the applications approved by the Under-Secretariat or the Chamber or Union concerned and copies are sent to the importer and to the relevant branch of the Central Bank. Changes in the certified invoices or in goods related to permits issued, are examined and finalized by the mentioned Chambers or Unions.

Companies wishing to import goods no subject to permits apply directly to the authorized banks which issue the licence.

2. The permit system is applied only to the 17 items presently included in the list of goods whose import is subject to permits.

Other products can be imported freely and without permits, except for narcotics, stearoptene, weapons, their ammunition and spare parts and coins made of silver or other metals (except gold) whose importation is prohibited.

3. The system is applied to all countries without discrimination.

4. The system does not include any restriction with respect to quantity or value. The objectives of the procedure are as follows:

- Obtaining statistical information;
- Preventing the importation of low quality and substandard goods.

5. The Council of Ministers is empowered by Law No. 2976 to take administrative decisions with respect to foreign trade. The Council of Ministers has transferred this authority to the Under-Secretariat for Treasury and Foreign Trade.

Decrees adopted by the Council of Ministers or by the Under-Secretariat on its behalf, are published in the Official Gazette.

6. There exist no import quotas in Turkey.

7. Applications by importers to the Under-Secretariat, for the issuance of permits, are processed within three to five days. The Under-Secretariat forwards the original permit to the importer and its copy to the relevant Central Bank branch. Permits are valid for six months. The bank issues the import licence on the strength of the permit and accomplishes the foreign currency transfer. The validity of this licence is also six months.

The applications for permits are examined only by the Under-Secretariat (or in cases such as the ones mentioned in response to Question 1, by the relevant Union or Chamber). Imports for the manufacture of chemicals and pharmaceuticals used in agriculture or animal husbandry as well as foodstuffs need the prior approval of the Ministry of Agriculture, Forestry and Rural Affairs. Imports of products affecting human health (pharmaceuticals or their inputs) require the permission of the Ministry of Health and Social Welfare.

8. Applications for permits can be turned down when domestic production is deemed sufficient from the point of view of quality and quantity to meet domestic requirements, when the application is made for a product used in industry by a firm not connected to the relevant sector, when the product in question is considered incompatible with domestic requirements or when the importer has been fined. If he wishes, the importer can make use of the procedures foreseen by the laws to obtain redress.

9. Any company can apply for a permit to import a product included in the list of goods subject to permits. However, in principle imports from countries where foreign trade has been nationalized are restricted to public-sector companies and a number of foreign trade capital companies. The list of these companies is annexed to the Import Régime. Other companies can import from the same countries a total value of goods corresponding to the total value of their export to these countries.

10. The documents required by the Under-Secretariat in order to process applications for import permits for products in the list of goods subject to permits are as follows:

- Application form for foreign currency;
- Bank receipt;

- In the case of industrialists importing for their own needs, a written undertaking to that effect;
- Capacity report for industrialists (needed once a year).

11. The documents required for actual importation are as follows:

- Importer's certificate: all importers are required to hold a valid importer's certificate;
- Import licence: document issued by the Central Bank or other authorized bank for the clearance of the goods from customs;
- Receipt attesting to the payment of the duty;
- Customs declaration.

12. There exists no fee or charge for the issuance of a permit. Except in cases specified by the Under-Secretariat, importers must deposit a guarantee for imports of all goods, whether subject to permit or liberalized. The deposit amounts to 5 per cent of the foreign currency required, as from 1 June 1989.

13. Importers need to deposit in a bank the Turkish lira equivalent of the guarantee at the rate laid down in the relevant article of the Import Régime.

However, imports financed with foreign credits of a term of more than one year or made by the Presidency, Ministry of National Defence, National Intelligence Organization, General Command of Gendarmerie, General Directorate of Customs Guards, General Directorate for Security, Regional Governorship for Extraordinary Situations, or for the imports of NATO or imports of special vehicles for handicapped persons, books and publications, crude oil, natural gas, electric energy, fuel, nafta, sugar, coal (2701.11-19; 2704.00.21; 2704.00.29) fertilizers and their raw materials, vegetable oils, pharmaceuticals and their raw materials, vaccines and serums, X-ray films, imports through International Izmir Fair and imports with encouragement certificate of investment for regions having priority in development, do not require the deposit of a guarantee.

14. The validity of permits is for six months. They can be extended by intermediary banks for a total of twelve months, upon payment of a monthly fee of 0.1 per cent of the total required foreign currency.

15. The guarantee deposited for the unused part of the import permit is forfeited, unless a case of "force-majeure" exists.

16. Import permits cannot be transferred by one importer to another. Imports have to be made by the company to which foreign currency has been allocated. There exist special provisions for trustees.

Requests for trusteeship are made to the banks. Applications based on import permits or licences need to be made during their period of validity. When the request has been made in the correct form, the import licence is cancelled by the issuing bank which then issues a new one in the name of the trustee. This new licence needs to be produced to the relevant authorities along with the old one.

17. No other conditions exist for the issuance of import permits.

18. There exists no other procedure to be compiled with prior to importation.

19. When the Turkish lira equivalent of the amount requested for importations is deposited at the bank, foreign currency is allocated by it. In the case of goods whose importation is subject to a permit, the permit needs to be presented to the bank, for foreign currency to be allocated.

ANNEXE

Liste des produits dont l'importation est
soumise à autorisation

<u>N°</u>	<u>Tarif turc</u>	<u>Désignation des produits</u>
1	2915.24.00	Anhydride acétique
2	2939.90.11.19	Cocaïne et ses sels
	(3602.00	Explosifs préparés, autres que les poudres
	(propulsives
	(3603.00	Mèches; cordons détonants, amorces et
	(capsules fulminantes; allumeurs; détonateurs
	(électriques
3	(36.04	Articles pour feux d'artifice, fusées de
	(signalisation ou paragrêles, pétards et autres
	(articles de pyrotechnie
	(3606.90.21	Combustibles solides
	(3606.90.29	Autres
4	39.15	Déchets, rognures et débris de matières plastiques
5	4802.52.41	Papier pour billets de banque et autres valeurs
6	4907.00	Timbres-poste, timbres fiscaux et analogues, non oblitérés, ayant cours ou destinés à avoir cours dans le pays de destination; billets de banque, chèques, titres d'actions ou d'obligations et titres similaires
	(6309.00	Articles de friperie
7	(63.10	Chiffons, ficelles, cordes et cordages, en
	(matières textiles, sous forme de déchets ou
	(d'articles hors d'usage
8	7204.10-49	Déchets et débris de fonte, de fer ou d'acier (ferrailles)
9	7402.00.11	Cuivre blister
10	74.04	Déchets et débris de cuivre
11	76.02	Déchets et débris d'aluminium
12	79.01	Zinc brut
13	79.02	Déchets et débris de zinc

<u>N°</u>	<u>Tarif turc</u>	<u>Désignation des produits</u>
14	85.04	Transformateurs électriques, convertisseurs statiques (redresseurs, par exemple), inducteurs (à l'exception des n° 8504.22,23; 8504.31.31; 8504.32.31; 8504.34; 8504.40; 8504.90.91,92)
15	85.36	Appareillage pour la coupure, le sectionnement, la protection, le branchement, le raccordement ou la connexion des circuits électriques (interrupteurs, commutateurs, relais, coupe-circuits, étaleurs d'ondes, fiches et prises de courant, douilles pour lampes, boîtes de jonction, par exemple), pour une tension n'excédant pas 1 000 volts (à l'exclusion des n° 8536.50.11,12,17; 8536.69.11)
16	89.08	Bateaux et autres engins flottants à dépecer
17	Divers	Pour l'industrie de montage et l'importation spécifique, ainsi que l'importation soumise à la Loi n° 3448