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Group 4 - Licensing

REPLIES TO THE QUESTIONNAIRE ON LICENSING

Addendum

SWEDEN

IMPORT LICENSING PROCEDURE FOR GOODS UNDER BTN CHAPTERS 1-24

Outline of system

1. Sweden has basically one simple licensing system for goods under BTN chapters 1-24. The National Agricultural Marketing Board is the licensing authority for the greater part of these products. The Board of Commerce is the licensing authority for some raw materials, malt beverages, wines and spirits and tobacco. A few other goods (mainly belonging to Chapter 6) are handled by other licensing authorities.

Purpose and coverage of the licensing

2. The following products are subject to licence requirements independently of what country they are imported from:

- cod and herring, fresh, chilled or frozen;
- herring and mackerel, in fillets, fresh or chilled;
- cod and haddock, in fillets, frozen;
- salted not dried herring (with the exception of Iceland herring, big herring and spring herring);
- stock-fish;
- shrimps in shells, cooked in water (also chilled or frozen);
- apples and pears, fresh¹;
- sugar from sugar-beets and sugar-cane, in solid state²;
- table syrup, other syrup and other sugar solutions²;
- edible molasses²;
- sugar, syrup and other sugar solutions and molasses with added aromatic substance or colour (vanilla and vanillin sugar included), not pertaining to fruit juices.²

¹May be imported without a licence during the greater part of the year.

²Quantitative restrictions on imports from countries which have not acceded to the International Sugar Agreement. Formal licensing requirements for imports from other countries.

3. In addition to the above-mentioned products imports from Eastern European States (among which Poland, Romania, Czechoslovakia and Hungary) are also subject to licensing requirements for most animal products, dairy produce (not cheese), potatoes and potato products, some vegetables, starch and starch preparations, some vegetable and animal fats and oils and some canned meat and fish.

A formal licensing requirement is maintained on a small number of products (mainly animal foods) coming from the Americas (North, Central and South).

Previously licensing requirements for imports from Japan covered all items. However, on 15 October 1971, a substantial number of items were liberalized.

Licences are required on all imports from Eastern Germany.

Importation from Rhodesia is forbidden.

4. For the greater part of the commodities the licensing system serves as a safeguard against low-price imports. The licensing requirements combined with strict quantitative restrictions is normally applied only to a small number of products (the above-mentioned varieties of fish, meat and canned meat from the Eastern European States). The system of seasonal import restrictions on apples and pears is intended to protect the marketing of the domestic crop. The licensing requirements for the above-mentioned sugar products is a consequence of obligations under the International Sugar Agreement. The formal licensing requirements for certain products when imported from the Americas (North, Central and South) are residual from the time when Sweden changed over from quantitative restrictions to a system of variable import charges.

5. Imports of commodities subject to licensing by the National Agricultural Marketing Board shall take place according to the following three statutory instruments:

(a) the ordinance of 14 March 1947 (No. 82) concerning general prohibition of imports which inter alia is applied to certain varieties of fish, garden products, coffee, canned fish, confectionery, bakery products, canned fruit and vegetables, soft drinks, beer and fertilizers;

(b) the ordinance of 5 June 1953 (No. 372) concerning the regulation of imports of certain varieties of fish and shell-fish (the fish imports ordinance), which is applicable to the main varieties of fish and shell-fish;

(c) the ordinance of 9 June 1967 (No. 340) with certain provisions for price control of agricultural products (the agricultural control ordinance), which is applicable to the products within the agricultural control system e.g. meat and meat products, dairy produce, eggs, cereals, oil plant seeds and oils, sugar and fodder.

Imports of commodities referred to in the first two statutory instruments are not allowed without an import licence from the National Agricultural Marketing Board. The King in Council may however authorize the Board to allow importation without a licence. Such authorizations have in fact been given.

In accordance with the agricultural control ordinance, the King in Council or the National Agricultural Marketing Board, by authorization of the King in Council, may stipulate that a certain commodity may not be imported without an import licence from the Board. Authorizations to stipulate licence requirements have in fact been issued.

6. Procedures

(a) The provisions for importation of the products within the Board's licensing sphere are to be found in circulars of the Board. The circulars also contain the necessary formalities connected with a licence application. There is no publication of the total quantity of licences granted, or of the quantity released for each country. In the rare cases of quotas, the importer or the agent is notified about the quantity at his disposal for licensing during a certain period.

(b) Quotas are in principle set for one year periods.

(c) Domestic producers do not receive any special part of a quantity released. Licences are granted only for current purchases which in principle have to be proved by a sales contract. In the case of commodities regulated by the agricultural and fish control systems, the import licence has to be returned to the Board after use, in order to control the extent to which it has been used. As a rule an unused licence can be carried over to the following period. According to existing regulations, the names of importers who have obtained a licence may not be revealed to authorities or export organizations in the exporting country.

(d) No restriction in force.

(e) Normally, each licence application is dealt with immediately. The Procedure as a rule takes a maximum of one week.

(f) Licences granted are in principle valid at once.

(g) In principle, licence applications are handled only by one administrative authority. The importer needs not to address himself to more than one administrative authority.

(h) It rarely occurs that a quota is divided between several importers.

(i) Does not apply to agricultural products.

- (j) Does not apply to agricultural products.
 - (k) The granting of an import licence under the condition that the commodity is re-exported and not sold on the domestic market has occurred only in exceptional cases.
7. (a) A licence can be obtained immediately.
- (b) Yes.
- (c) There is a system of seasonal restrictions on apples and pears. A more detailed description of this system is to be found in GATT document COM.AG/W/68/Add.2/Part 1.
- (d) See 6 (g)
8. The reason for a refusal is stated on demand. Licence applicants may request a reconsideration of an application by the Board; subsequently an appeal to the King in Council is further possible.
9. (a-b) All importers can apply for licences.

Documentational and other requirements for application for licence

10. Licence applications shall contain the detailed information given in Annex to GATT document COM.IND/W/55/Add.16, COM.AG/W/72/Add.16. An agreement or other documentary evidence of the purchase shall be attached to the application.

11. The documents necessary for customs clearance purposes and the import licence whenever applicable are to be presented.

12. No.

13. No.

Conditions of licensing

14. For commodities regulated by the agricultural control system the licence is usually valid for one month in respect of imports from Europe and for two months in respect of imports from overseas countries. Licences for fish products may be subject to a shorter period of validity. For other commodities a longer period of validity may be granted as a rule six months, the current quarter not included. The period of validity may be prolonged by decision of the National Agricultural Marketing Board.

15. No.

16. No.

17. (a-b) A general condition is that the goods have to be paid through an authorized foreign exchange bank. In principle no other conditions govern the granting of a licence.

18. In some cases, authorization by the National Veterinary Board, the Plant Protection Institute etc. may be called for in addition to licensing.

19. Payments for imports may be made through authorized banks without specific permission in each case and without the formality of presenting an import licence provided that the conditions for current payments as defined in the Swedish exchange control regulations are met. Import payments are regarded as current payments (a) if made by a letter of credit with a validity not exceeding nine months and payable either against documents evidencing shipment to Sweden or after the arrival of the goods in Sweden or (b) - where other modes of payment than letter of credit are used - if not made earlier than immediately before delivery. Advance payments are regarded as current payments up to one third of the purchase sum in respect of imports of machinery, if stipulated in the contract, and up to an amount of SKr 50,000 in respect of other imports. Importers have to complete and deliver to the authorized bank a declaration form for import payments exceeding SKr 5,000 (SKr 10,000 in respect of the Nordic countries) and to present such evidencing documents as the bank may require for the verification of the authenticity of the transaction.