

# WORLD TRADE ORGANIZATION

G/LIC/N/3/ARG/2/Add.1  
6 March 2002

(02-1107)

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Committee on Import Licensing

Original: Spanish

## REPLIES TO THE QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES<sup>1</sup>

Notification under Article 7.3 of the Agreement on Import Licensing Procedures

ARGENTINA

Addendum

The following communication, dated 8 February 2002, has been received from the Permanent Mission of Argentina.

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Please find attached, pursuant to Article 7.3 of the Agreement, the updated replies of the Argentine Republic to the Questionnaire on Import Licensing Procedures.

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<sup>1</sup> See G/LIC/3, Annex, for the Questionnaire.

1. Outline of systems

Two types of import licence are administered at present by the Secretariat of Trade: automatic and non-automatic. Automatic import licences, as their name suggests, are granted on the basis of a single requirement, namely compliance with all of the prescribed formalities. They are approved in all cases and are consistent with Article 2 of the World Trade Organization (WTO) Agreement on Import Licensing Procedures. Applications for non-automatic licences are in accordance with Article 3 of this Agreement, which is incorporated into Argentine legislation by way of Law 24,425.

As a general rule, import licences are import certificates issued by the National Foreign Trade Management Directorate to importers who comply with current statutory requirements with regard to consumers' rights and submit the corresponding application to the Directorate-General of Customs when requesting clearance documents for imports of consumer goods. Automatic import licences currently being administered include the Sworn Declaration of Product Composition (DJCP) and the Prior Automatic Import Licence (LAPI).

Procedures for the DJCP are manual and applications are submitted to the Directorate of Imports of the Undersecretariat for Foreign Trade Management.

The LAPI is the first computerized import licence processed by the MARIA computer system (SIM). It aims to monitor imports in advance, thereby providing an advance supply of descriptive statistical information for the historical records which, in turn, enables their trend to be analysed. This would prove useful in the event of trade defence measures being adopted and avoid delays which could harm the various domestic sectors.

2. Purposes and coverage of licensing

- Automatic licences include the Prior Automatic Import Licence (LAPI) and the Sworn Declaration of Product Composition (DJCP).
- Non-automatic licences include the Footwear Import Certificate and the Paper Import Certificate.

The aim of the Prior Automatic Import Licence (LAPI) is the advance descriptive monitoring of the tariff headings covered, corresponding to imports of the following products: footwear parts, paper in reams and rolls, textiles (cotton and synthetic yarn), parts and spare parts of agricultural and self-propelled machinery, cardboard boxes, telephone accessories, wooden furniture (bedroom furniture and cupboards), dried egg yolks and canned peaches.

The Sworn Declaration of Product Composition (DJCP) covers finished footwear, textiles and clothing.

Non-automatic licences cover finished footwear and commercially packaged paper.

3. The system applies to goods originating in and coming from all countries

4. Licensing does not restrict either the quantity or the value of imports.

The purpose of the system is to protect consumer rights by establishing the origin and source of imported goods.

5. – Licensing is maintained under the Agreement on Import Licencing Procedures of the GATT 1994, which is incorporated into Argentine legislation by way of Law No. 24,425.
- Licensing is statutorily required for certain types of goods.
- The regulations provide that the designation of products subject to licensing be left to administrative discretion, the responsible authority being the Undersecretariat for Foreign Trade Management of the Secretariat of Trade, under the Ministry of the Economy.
- The executive branch does not need legislative approval to abolish the licencing system

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6. Procedures

I

- Yes, in the Official Journal.
- Yes. The Directorate-General of Customs handles such matters.
- Some derogations were provided for in the current regulations for each licence. Exceptions are analysed on an individual basis in response to a written submission by the interested party to the Undersecretariat for Foreign Trade Management (Secretariat of Trade).

II

See the reply to point IV below.

III

- Footwear import licences are allotted to both foreign and domestic producers.
- Certificates are issued and must be presented together with the rest of the documentation required for inward customs clearance.
- Unused allocations are not added to quotas for a succeeding period.
- The names of importers to whom licences have been allocated are made known to governments and export promotion bodies of exporting countries upon request.

#### IV

Licences administered by the Secretariat of Trade are not subject to quotas. The current footwear quotas stem from the application of a safeguard measure.

#### V

LAPI and DJCP: minimum of two and a maximum of 10 working days.

Footwear and/or Paper Import Certificates: A minimum of 10 and a maximum of 30 days.

#### VI

See point 14 below on periods of import licence validity.

#### VII

Consideration of licence applications is effected by the following administrative organs:

LAPI:

- The Directorate-General of Customs alone.
- The Secretariat of Trade is also involved in cases of changed circumstances where licences are cancelled to amend some of the data furnished.

DJCP:

- The Secretariat of Trade alone.
- Footwear and Paper Import Certificates: The Secretariat of Trade, the National Institute of Industrial Technology (INTI) and the Ministry of Competition, Deregulation and Consumer Protection.

#### VIII

The allocation of all import licences to applicants is on a first come, first served basis.

#### IX

See point IV above.

#### X

The above-mentioned licencing procedures do not include such a mechanism.

#### XI

No.

7.
  - (a) Applications for licences may be submitted on any working day prior to the customs clearance of the goods. The only cases in which licences may be obtained within a shorter time-limit are applications for automatic import licences either for perishable goods or critical inputs for a sector of the domestic industry or for products covered by the licence and the value or quantity of which is minimal in relation to the rest of the goods making up the import
  - (b) The minimum lengths of time specified in point V above apply in all cases
  - (c) There are no restrictions as to the period of the year during which an application for a licence may be made.
  - (d) Licence applications are examined by the Secretariat of Trade.
8. The only reason for a non-automatic import licence being refused is failure to meet the ordinary criteria. The interested party is always notified of such reasons so that the errors detected can be rectified.
9. All importers are eligible to apply for licences, the only requirement being inclusion in the Directorate-General of Customs' Register of Importers.
10. The information required for import licence applications is that specified on the respective forms (see Annexes to current regulations).
11. The Prior Automatic Import Licence (LAPI), processed by the MARIA computer system (SIM);  
  
The Sworn Declaration of Product Composition (DJCP);  
  
The Footwear Import Certificate (CIC);  
  
The Paper Import Certificate (CIP).
12. Only in the case of the Footwear Import Certificate.  
  
The National Institute of Industrial Technology (INTI) charges a fee of between Arg\$137 and Arg\$165 for processing such certificates, depending on the nature of the procedure involved, for example, a) the extension of a family of products or b) a new model.
13. No deposit or advance payment requirement is associated with the issue of licences.
14. The periods of validity of the various import licences are as follows:
  - LAPI: 60 days as from the date of processing;
  - DJCP: 360 days as from the date of issue;
  - CIC: 30 days as from the date of issue;
  - CIP: 30 days as from the date of issue.  
Licences may not be extended. A new licence may, however, be issued, for which the importer can commence the application procedures as far in advance as he considers appropriate.
15. There are no penalties for the non-utilisation of a licence or portion of a licence.

16. Licences are non-transferable and are only delivered to the holders themselves or their authorized and duly accredited representatives or agents.
  17. No other conditions are attached to the issue of a licence.
  18. No other administrative procedures are required prior to importation.
  19. The banking authorities are not involved in import licencing.
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