

This section of the Handbook on Notification Requirements covers the notification obligations under the **AGREEMENT ON IMPORT LICENSING PROCEDURES**. It consists of the following five parts:



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TEXT OF THE AGREEMENT

For Members which acceded pursuant to Article XII of the Marrakesh Agreement, their respective Protocols of Accession may contain notification obligations in addition to those set out in the WTO Agreements, and may govern the deadlines for the submission of their initial notifications.

OVERVIEW OF NOTIFICATION REQUIREMENTS

WHAT MUST BE NOTIFIED?

<u>Article 1.4(a)</u>: Members are required to notify the Committee on Import Licensing **the sources/publications** in which the information concerning import licensing procedures are published, and to make **copies** of these publications available to the Secretariat.

In cases where the publications are not in a WTO official language, Members shall provide, together with such publications, a summary of the notification in one of the WTO languages. Other Members may ask for a full translation if they so wish or seek any additional information on a bilateral basis. Any issues that cannot be solved on a bilateral basis may be brought to the attention of the Committee.

Article 7.3: The questionnaire covers import licensing and similar administrative procedures (which are understood to include technical visas, surveillance systems, minimum price arrangements and other administrative reviews). Members are required to provide information relating to purposes and coverage of licensing, laws, regulations and administrative orders under which licensing is maintained, procedures for application and granting licenses under restrictive and non-restrictive systems, allocation of quotas, period for processing of applications, license validity, administrative bodies to be approached, documentation requirements for application, eligibility of importers to apply for license, conditions of licensing and foreign exchange formalities.

<u>Article 8.2(b)</u>: Members are required to inform the Committee of any changes in their laws and regulations relevant to the Agreement and in the administration of such laws and regulations.

The first notification under Article 8.2(b) by Members which were not Parties to the Tokyo Round Code shall contain the full text of relevant laws and regulations in effect on entry into force of the WTO Agreement for the Member concerned.

In cases where the legislation is not in a WTO official language, Members shall provide, together with such legislation, a summary of the notification in one of the WTO languages. Other Members may ask for a full translation if they so wish or seek any additional information on a bilateral basis. Any issues that cannot be solved on a bilateral basis may be brought to the attention of the Committee.

Articles 5.1-5.4: Members which institute licensing procedures or changes in these procedures are required to notify the Committee of such within 60 days of publication. Such notifications shall include the information listed in <u>Article 5.2</u> (i.e., list of products subject to licensing; contact point for information on eligibility; administrative bodies for submission of applications; date and name of publication where licensing procedures are published; indication whether the procedure is automatic or non-automatic according to the definitions in Articles 2 and 3; in the case of automatic licensing, their administrative purpose; in the case of non-automatic licensing, indication of the measure being implemented through the licensing procedure; expected duration of the licensing procedure if this can be estimated with some probability, and if not, reason why this information cannot be provided), as well as the changes in import licensing procedures (<u>Article 5.3</u>). Members are required to notify the Committee of the publications in which the relevant information is published.

Article 5.5: Any Member which considers that another Member has not notified the institution of a licensing procedure or changes therein in accordance with Article 5.1-5.3, may bring the matter to the attention of such other Member, and if notification is not made promptly thereafter, such Member may itself notify the licensing procedure or the changes therein.

<u>Footnote 5 to Article 2.2:</u> Footnote 5 to Article 2.2 enables developing countries which were not parties to the Tokyo Round Code to delay, upon notification to the Committee, the application of the provisions of Art.2.2(a)(ii) and (a)(iii) linked to automatic licensing for a period of two years.

WHICH MEMBERS MUST NOTIFY?

All WTO Members.

WHEN TO NOTIFY?

Articles 1.4(a) and 8.2(b): The Committee, at its meeting on 12 October 1995, established a deadline of 12 January 1996 for the first notification under this provision from current Members.

OVERVIEW OF NOTIFICATION REQUIREMENTS

<u>Article 5.1-5.4</u>: Members are requested to notify within 60 days of publication.

<u>Article 7.3</u>: Members are required to complete, by 30 September each year, the questionnaire on import licensing procedures.

HOW TO NOTIFY?¹

A notification form was agreed at the Import Licensing Committee meeting on 4 April 2019 for WTO Members to use on a voluntary basis, to notify under Article 5.1-5.4 of the Agreement. It is understood that the notifying Member has also completed its notification obligations under Article 1.4(a) and Article 8.2(b) of the Agreement regarding the relevant law/regulation/procedure notified for by filling this form in a full and complete manner. The template is contained in document G/LIC/28.

For the annual questionnaire under Article 7.3, Members have to answer the questions contained in the Annex of G/LIC/3.

The Import Licensing Notification Portal, launched in 2023, enables online submission of notifications. The Portal streamlines the notification process by allowing members to draft and submit the two types of notifications (N2² and N3) under the Agreement online. Guidelines on how to use the Portal as well as a training video are available for guidance on how to submit notifications using the Portal.

All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document WT/INF/25/Rev.2. Notifications may be submitted through online submission systems, namely the Import Licensing Notification Portal or as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

² As noted above, N1 notification requirements can also be fulfilled by submitting an N2 notification, in accordance with the template contained in G/LIC/28.

LISTING OF THE NOTIFICATION OBLIGATIONS

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY?			
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom ²	Notification Symbol	
1.	Agreement on Import Licensing Procedures Article 1.4(a) and paragraph 1 of G/LIC/3.	Sources in which the information concerning import licensing procedures are published. Copies of such publications (national publication 21 days before entry into force).	All WTO Members	Ad hoc	Ad hoc, except for the first notification. By 12 January 1996 (G/LIC/3). One time or again if changes. Copies of publications – Ad hoc.	Yes ³ (<u>G/LIC/28</u> , voluntary use by Members)	WTO Secretariat	G/LIC/N/2/*	
2.	Agreement on Import Licensing Procedures Article 8.2(b) and paragraph 4 of G/LIC/3.	Changes in laws/ regulations relevant to the agreement and in the administration of such laws and regulations. Copies of these laws and regulations.	All WTO Members	Ad hoc	Ad hoc, except for the first notification. One time by 12 January 1996 G/LIC/3) and after that on ad hoc basis.	Yes³ (<u>G/LIC/28</u> , voluntary use by Members)	Committee on Import Licensing	G/LIC/N/2/*	

All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document wt/lnF/25/Rev.2. Notifications may be submitted through online submission systems, as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

³ For publications that are not in a WTO Official Language, Members shall provide a summary in one of the WTO official language (G/LIC/3).

LISTING OF THE NOTIFICATION OBLIGATIONS

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY?		
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom ²	Notification Symbol
3.	Agreement on Import Licensing Procedures Article 5.1 Article 5.2 Article 5.3 Article 5.4.	Institution of licensing procedures or changes in these procedures.	All WTO Members	Ad hoc	Within 60 days of their publication.	Yes (G/LIC/28, voluntary use by Members)	Committee on Import Licensing	G/LIC/N/2/*
4.	Agreement on Import Licensing Procedures Article 7.3.	Replies to the Annual Questionnaire on import licensing procedures.	All WTO Members	Regular – Annual	Every year, by 30 September (G/LIC/3).	No (19 questions in the Questionnaire in the Annex to G/LIC/3)	Committee on Import Licensing	G/LIC/N/3/*
5.	Agreement on Import Licensing Procedures Article 5.5.	Import licensing procedures or changes thereto of other Members (reverse notification).		Ad hoc		No	Committee on Import Licensing	N/A
6.	Agreement on Import Licensing Procedures, Article 2.2 (footnote 5).	Deferred application of the provisions of Articles 2.2(a)(ii) and (iii).	Developing country Members not parties to the Tokyo Round Code.	One time	Once upon entry into force of the WTO Agreement for the Member.	No	Committee on Import Licensing	WT/Let/*

All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document wt/lnF/25/Rev.2. Notifications may be submitted through online submission systems, as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

RELEVANT DOCUMENT(S) CONCERNING GUIDELINES AND FORMATS

Procedures for notification and review under the Agreement on Import Licensing Procedures G/LIC/3.

LIST OF NOTIFICATIONS SINCE 1995

LIST OF NOTIFICATIONS UNDER ARTICLE 1.4 (a)

Notifications under Article 1.4(a) - Publications.

LIST OF NOTIFICATIONS UNDER ARTICLE 2.2

Notifications under Article 2.2.

LIST OF NOTIFICATIONS UNDER ARTICLE 5.1-5.4

Notifications under Articles 5.1-5.4.

LIST OF NOTIFICATIONS UNDER ARTICLE 5.5

Notifications under Article 5.5.

LIST OF NOTIFICATIONS UNDER ARTICLE 7.3

Notifications under Article 7.3.

LIST OF NOTIFICATIONS UNDER ARTICLE 8.2 (b)

Notifications under Article 8.2(b) - Legal texts.

TEXT OF THE AGREEMENT

Agreement on Import Licensing Procedures <u>LT/UR/A-1A/5</u>.