

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹

Notification under Article 7.3 of the Agreement
on Import Licensing Procedures

MADAGASCAR

The following notification, dated 23 August 2002, has been received from the Permanent Mission of the Republic of Madagascar.

Outline of system

1. Imports are not subject to quantitative restrictions in Madagascar, except for those that require prior authorisation from the agencies or departments responsible for implementing the law with respect to particular products.

Goods imports and exports are governed by Decree No. 92-424 of 3 April 1992.

For imports that require prior authorization, the application for an import permit must be filed with the competent issuing authority.

Purpose and coverage of licensing

2. The importation of the goods and products not included in the list attached to Decree No. 92-424 of 3 April 1992 is unrestricted. Such goods and products require neither prior authorization nor import permits.

3. The system applies to all products regardless of origin, and the choice of supplier is left entirely to the discretion of the importer.

4. Nevertheless, prior authorization or an import declaration is mandatory for some products in order to safeguard security and public health and to better manage statistics on products that are still regulated.

5. Decree No. 92-424 of 3 April 1992 regulating goods imports and exports was published in the Official Gazette.

¹ See G/LIC/3, Annex, for the questionnaire.

Procedures

6. An import statistics card must be prepared for imports of products that require foreign exchange transfers and are not included in the Annex. The importer must liaise with a primary bank in order to prepare the import statistics card.

Except in the case of arms, in which case the holders must be investigated, prior authorization may be delivered or approved immediately if certain data are provided.

Applications for prior authorization with respect to products included in the Annex to the Decree must be filed with the supervisory department concerned (e.g. for items of jewellery, with the Ministry of Energy and Mining; for acetic anhydride, with the Ministry of Health).

7. In Madagascar, all products may be imported on any working day in the year.

8. No export permits from the exporting countries are required. In general, possible refusals concern, above all, arms and explosives.

Eligibility of importers to apply for licence

9. Under the import regime instituted by Decree No. 92-424, all natural persons or legal entities domiciled in Madagascar, inscribed in the trade register and in compliance with the tax and foreign exchange control authorities are eligible to import. The importer is free to choose the importer and the primary bank.

Documentational and other requirements for application for licence

10. The information mainly required for the purposes of the application are surname and given names or corporate name, importer's address, type of activity engaged in, names and address of the exporter or forwarder, country of origin, means of transport, designation and quantity of the goods to be imported, importer's statistical number, method of payment, and the particulars given in the bill of lading or airway bill.

For the importation of motor vehicles without the surrender of foreign exchange, an import declaration must be submitted to the Ministry of Trade before customs clearance. In submitting this declaration, the importer is required to supply the following supporting documents:

- An application addressed to the relevant department;
- photocopies of the following:
 - the vehicle registration document;
 - certification of the absence of any lien in the case of vehicles arriving from France;
 - a certificate of transfer, purchase invoice or deed of gift;
 - the bill of lading/airway bill.

Food imports destined for sale must undergo radiation testing by the Consumer Protection Department (*Direction de la protection des consommateurs*) of the Ministry of Trade, which issues certificates of suitability for human consumption.

Conditions of licensing

14-17. The issuance of an import permit or an import statistics card is the responsibility of the entity concerned (supervisory ministry).

Other procedural requirements

18-19. Foreign exchange is negotiated directly by the importer with the banking authorities for the good being imported.
