

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

Notification under Article 7.3 of the
Agreement on Import Licensing Procedures

JAPAN

Corrigendum

In a communication dated 2 April 1998, the Permanent Mission of Japan has submitted the following corrections to the replies to the Questionnaire circulated in document G/LIC/N/3/JPN/1, dated 20 November 1996:

I. MARINE PRODUCTS

1. Import quota items

Reply 2: Add the following sentence to the end:

"("ex" indicates that only a part of the Heading is covered)."

Reply 6, para. III: Add the following sentence to the end:

"The names of importers to whom a certificate for an import quota is issued is published in the Ministry of International Trade and Industry Official Bulletin and the International Trade Bulletin."

2. Import approval items

Reply 2: Add the following to the end:

"(7) Bluefin tuna and their preparations

HS No.

03.01, 03.02, 03.03, 03.04, 03.05, 16.04, 23.01, 23.09"

Reply 3: Add the following sentence to the end:

"(4) The permit system applies to para.2(7) for those coming from Belize, Honduras and Panama."

Reply 4: Add the following sentence to the end:

"The objective of restriction of 2(7) above is to observe the resolution of the ICCAT."

Reply 10: Add the following sentence to the end:

"In case of para.2(7), an importer shall submit the conformation issued by the Fisheries Agency, when the goods have originated in Belize, Honduras and Panama."

Please replace Section VIII with the following:

"VIII. SILK PRODUCTS,SILK YARN,WOVEN FABRICS OF SILK,GAUZE OF SILK

Outline of systems

1. See reply of Import quota items in Marine products.

Purposes and coverage of licensing

2. Permits are required for woven fabrics of silk as follows:

HS No. ex5007 - Woven fabrics of silk (excluding fabrics of noil and of silk and other fibre mixture)
HS No. ex5803 - Gauze of silk
3. (1) The permit system applies to this paragraph for those products coming from the People's Republic of China.
4. In principle, licensed products shall be restricted quantitatively. The permit system is to secure the results of bilateral agreements though alternative methods of accomplishing the purposes have not been considered.
5. See reply of Propellant powders.

Procedures

6.
 - I. The information relating to the application of import quotas shall be published in the Official Gazette, the Ministry of International Trade and Industry Official Bulletin, the International Trade Bulletin and the newspapers. The total amount shall be published in the Ministry of International Trade and Industry Official Bulletin and others. The classification of the import quotas is made by item, as follows:

Item

Originating country

Woven fabrics of silk (excluding fabrics of noil and of silk and other fibre mixture)
Gauze of silk

People's Republic of China

With regard to cases whereby an application for import licence is not necessary the value of a cargo should be estimated below ¥180,000 and of no commercial value. In such cases, a declaration shall be sent to customs, and confirmation shall be received from the customs bureau.

- II. The scale of quota shall be determined taking into account bilateral agreements. The scale of import quota is determined on a yearly basis, based on the forecast of domestic supply and demand. A certificate of import quota is issued for each application made by importers. If more than one application is submitted, the same number of certifications of import quota are issued in one import quota application for a one-year period.
- III. The certificate of import quota is issued to importers such as traders. Importers shall submit an application for a certificate of import quota to the MITI. After obtaining the certificate of import quota, importers are issued a certificate of approval by the Foreign Exchange Bank, based on the certificate of import quota. Importers can then import the goods concerned after submitting the import approval to the customs bureau.

Actual importation corresponding to the import quota issued is confirmed by the report of importation which importers submit to MITI every month. Importers are requested to submit the report of imports according to the application procedure of import quota.

Unused allocations, in principle, are not added to the quota for a succeeding period as the allocation is determined based on the forecast of domestic supply and demand. However, as an exception, it shall be allowed to add to the period only on the condition that an importer has no responsibility for the cause of extending licences or that prohibition from the exporter's side leads to extending the duration, etc.

The name of importers to whom a certificate for an import quota has been issued is not made public because a person who obtains the above certificate is from a private company and the substance of the import quota is a private company's secret.

IV-VII. See reply of Import items in Marine products.

VIII. See reply of Farm products (Rice).

IX. In cases where export licences are issued, import licensing is necessary. Import licences are not issued automatically.

X. Not applicable.

XI. See reply of Import items in Marine products.

7. No quantitative limit on the importation of a product:

- (a) The items subject to import approval cannot be imported without a certificate of import approval. An importer shall apply for import approval taking into consideration the processing time for application, which is around three weeks.
- (b) Due to sufficient time being required for examination, a permit cannot be granted immediately on request.
- (c) Limitation of application for import approval is determined in the information concerning procedures.
- (d) Consideration of an application for import approval shall be carried out by the MITI.

8. See reply of Import items in Marine products.

Eligibility of importers to apply for a licence

9. Qualification for application of the certificate of import quota is described on publication of the import quota's application. In principle, importers who qualify for application should be one of the following two cases:

- an importer who has experience of obtaining the certificate of import quota and of importing goods using the certificate of import quota;
- an importer who intends to import items subject to the import quota with a definite plan.

There is no system of registration of persons or firms permitted to engage in importation.

Documentational and other requirements for application for licence

10-13. See reply of Import items in Marine products.

Conditions of licensing

14-17. See reply of Import items in Marine products.

Other procedural requirements

18-19. See reply of Import items in Marine products."
