

**REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES**

Notification under Article 7.3 of the  
Agreement on Import Licensing Procedures<sup>1</sup>

**TRINIDAD AND TOBAGO**

The following communication, dated 27 February 2001, has been received from the Permanent Mission of Trinidad and Tobago.

Outline of system

1. The import licensing system is regulated by the Imports and Exports Control Regulations 1941 which is scheduled as part of the Trade Ordinance No. 19 of 1958.

Purposes and coverage of licensing

2. With the liberalization of the economy, only the undermentioned goods require a licence to be imported into the country:
  - Automatic licensing: Live poultry, rearing or breeding live poultry, other than rearing or breeding; fish, fresh (live or dead) chilled or frozen; (a) shrimp (prawn) fresh (live or dead) chilled or frozen; (b) lobster, fresh (live or dead) chilled or frozen; (c) crabmeat, fresh, chilled or frozen.
  - Automatic licensing: The following oils and fats of CARICOM origin: coconuts in all forms including coconut seedlings, copra, dessicated coconut, coconut milk and coconut cream, but excluding coconut oil; oilseed cake, meal and other vegetable residues; copra; oilseed, beans, nuts etc.; animal oils, fats and greases, unrefined; fatty acids and solid residues from the treatment of oils and fats; vegetable fats; and ships and boats (under 250 tonnes).
  - Mixtures containing ozone-depleting substances (ODS): tariff heading Nos.: 2903.191, 2903.199, 2903.20, 2903.21, 2903.22, 2903.23, 2903.30, 2903.40, 2903.45, 2903.451, 2903.452, 2903.453, 2903.454, 2903.455, 2903.456, 2903.457, 2903.458, 2903.459, 2903.4591, 2903.4592, 2903.4593, 2903.4594, 2903.4595, 2903.4596, 2903.46, 2903.47, 2903.49, 2903.491, 2903.492, 2903.499 (reason: Montreal Protocol).
  - Equipment requiring the use of ozone-depleting substances: compressors and their parts; used refrigerating equipment; dehumidifiers; air-conditioning machines and their parts for

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

domestic and commercial use, as well as auto air-conditioning units and their parts for new or used vehicles – whether mounted or not; refrigerators, freezers and other refrigerating or freezing equipment, heat pumps and their parts for domestic and commercial use; and portable fire extinguishers and their parts (reason: Montreal Protocol).

- Non-automatic licensing: The following oils and fats of non-CARICOM origin: coconuts in all forms including coconut seedlings, copra, dessicated coconut, coconut milk and coconut cream, but excluding coconut oil; oilseed cake, meal and other vegetable oil residues; copra; oilseed, beans, nuts etc.; animal oils, fats and greases, unrefined; fatty acids and solid residues from the treatment of oils and fats; vegetable fats (reason: regional trade agreements).
- Non-automatic licensing: Road motor vehicles of the following descriptions: left-hand drive vehicles imported under Section 45(2)(4) of the Customs Act Chapter 78:01 as amended; used right-hand drive vehicles; and used right-hand garbage compactors exceeding 15 tonnes (15,000 kg.) MGW (reason: public safety)
- Non-automatic licensing: Paper for wrapping tobacco or cigarettes (reason: national security).
- Non-automatic licensing: The following pesticides: Parathion, ethyl; dichlorodiphenyl-trichloroethane (DDT), chlordime form; dibromochloropropane (DBCP); ethylene dibromide (EDB), pentachlorophenol (PCP); lead arsenate; thallium and its salts; aldrin, dieldrin and endrin; 2, 4, 5-trichlorophenyl (2, 4, 5-T) (reason: health and environment)
- Ozone-depleting substances; mixtures containing ozone-depleting substances; tariff heading Nos. 2903.41, 2903.42, 2903.43 and 2903.44; and ozone-depleting substances of Annex A, Group 1 chloroflourocarbons (reason: Montreal Protocol).

3. The system applies to goods originating in and coming from all countries with the exception of oils and fats.

4. Automatic import licensing is for statistical purposes. Non- automatic import licensing is for the purpose of administering import restrictions maintained pursuant to: bilateral/regional trade agreements; environmental concerns; national security; health concerns and the Montreal Protocol<sup>2</sup>.

5. The licensing system is a statutory requirement, published as Legal Notice No. 69 of 1999, Notice to Importers No. 1 of 1999<sup>2</sup>. This existing requirement is an amendment to Legal Notice 103, Notice to Importers No. 1 of 1997 and Legal Notice No. 180, Notice to Importers No. 1 of 1998. In 1989, Trinidad and Tobago acceded to the Vienna Convention for the protection of the ozone layer and the Montreal Protocol on Substances that deplete the ozone layer. A country programme for the Phase-Out of Ozone-Depleting Substances was prepared in 1996 and has been implemented. Trinidad and Tobago met the 1 July 1999 deadline for the freeze on the consumption of chlorofluorocarbons (CFC's) at levels of average imports for 1995 and 1997. Authority exists to suspend the system whenever it is determined that such action is appropriate. Notice to such action is published in the Trinidad and Tobago Gazette.

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<sup>2</sup> A summary of the control measures under the Montreal Protocol and a copy of Legal Notice 69 of 1999 are available for consultation in the Secretariat (Market Access Division) (English only).

Procedures

6. Quantitative restrictions apply solely in respect of ozone-depleting substances as outlined below:-
  - (a) In accordance with the dictates of the Montreal Protocol, the Government of Trinidad and Tobago agreed to implement the phase out on the consumption of chlorofluorocarbons (CFCs): CFCs 11, 12, 113, 114, 115 at the level of average imports for 1995-1997, effective 1 July 1999.
  - (b) A quota system was implemented that accommodated only those importers whose historical records showed that they imported CFCs during the period 1995-1997.
  - (c) Quotas are issued to only eight importers.
7. For all goods requiring an import licence:
  - (a) Application for a licence must be made at least one week in advance of importation. Licences may be obtained within a shorter time-limit or for goods arriving at the port without a licence, however the law stipulates and applicants are encouraged to obtain licences before goods arrive in the country.
  - (b) A licence may be granted immediately on request in instances where goods arrive without prior knowledge of the applicant.
  - (c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.
  - (d) An importer has to approach only one administrative organization with an application, however consideration of all licence applications is not always effected by a single administrative organization. The following applications must be passed on to other administrative organizations for recommendations: Live poultry (rearing and breeding and other); fish, crustaceans, molluscs – Ministry of Agriculture, Land and Marine Resources; left-hand drive road motor vehicles – Ministry of Works and Transport; ships and boats – Ministry of National Security; and ozone-depleting substances – informed by Environmental Management Agency.
8. If the Ministry's policy does not allow, the reasons for refusal are written on the application form. The applicant has a right to appeal to a higher authority, i.e. Permanent Secretary or Minister.

Eligibility of importers to apply for licence

9. All persons, firms and institutions are eligible to apply for licences.

Documentational and other requirements for application for licence

10. A sample form is attached<sup>3</sup>. An importer is required to submit the following documents with the application: covering letter explaining need for the imported item – non-automatic licences; Personal Identification; Board of Inland Revenue Certificate; Registration of Business; and Pro-forma invoice of goods if available.

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<sup>3</sup> Available for consultation in the Secretariat (Market Access Division) (English only).

11. Upon actual importation, an importer is required to submit the Customs copy of the approved import licence to the Customs and Excise Division.

12. Prior to 17 July 2000, an import licence fee of \$11.00 TT was applicable. Effective 17 July 2000, this fee is no longer applicable.

13. There is no deposit or advance payment requirement associated with the issue of licences.

Conditions of licensing

14. A licence is valid to the end of the year in which it was issued unless otherwise stated. The validity can be extended if the applicant so requests, however extension is not automatic.

15. There is no penalty for the non-utilization of a licence or a portion of it.

16. Licences are not transferable between importers.

17. Conditions are attached to licences for used motor vehicles.

Other procedural requirements

18. Apart from import licensing prior to importation other administrative procedures may entail: certification from Ministry of Agriculture, Land and Marine Resources for live poultry, fish, shrimp, lobster and crabmeat.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported. No licence is required as a condition for obtaining foreign exchange. Import documents must be provided to the banking authorities.

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