

WORLD TRADE ORGANIZATION

G/LIC/N/1/TPKM/4
G/LIC/N/3/TPKM/2
30 July 2004

(04-3277)

Committee on Import Licensing

Original: English

AGREEMENT ON IMPORT LICENSING PROCEDURES

Notification under Articles 7.3¹ and 8.2(b)² of the Agreement on Import Licensing Procedures

SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU

The following communication, dated 21 June 2004, is being circulated at the request of the Delegation of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.

Pursuant to Articles 7.3 and 8.2(b) of the Agreement on Import Licensing Procedures, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu has the honour to submit herewith the following notifications, namely the replies to the Questionnaire on Import Licensing Procedures and the Consolidated List of Chinese Taipei's WTO-ILP Questionnaires and their respective Governing Regulations in 2003. While only some of the governing regulations have been revised since our last notifications on 6 May 2003, a list of the revised governing regulations is also enclosed for Members' reference. (See Annex A).

I.	COMMODITIES SUBJECT TO CONDITIONAL IMPORT, IRON AND STEEL PRODUCTS, OPTICAL DISK MANUFACTURING EQUIPMENT: BUREAU OF FOREIGN TRADE, MINISTRY OF ECONOMIC AFFAIRS.....	3
II.	METHYL BROMIDE AND HYDROCHLOROFLUOROCARBONS (HCFCS): ENVIRONMENTAL PROTECTION ADMINISTRATION (EPA).....	5
III.	BREEDING LIVESTOCK/POULTRY AND GENETIC RESOURCES: COUNCIL OF AGRICULTURE.....	8
IV.	YELLOW-FIN TUNA, BLUEFIN TUNA, SOUTHERN BLUEFIN TUNA, SWO RDFISH, BIG-EYE TUNA: FISHERY ADMINISTRATION, COUNCIL OF AGRICULTURE.....	11

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

² Copies of legislation referred to in this notification, as well as application for import permit/import permit, application form for global tariff rate quota (agricultural), premium bidding form for global tariff rate quota (agricultural) and application for tariff rate quota certificate (industrial) are available for consultation in the Secretariat (Market Access Division) (in English only).

V.	TOBACCO, LIQUOR PRODUCTS, AND UN-DENATURED ETHYL ALCOHOL: DEPARTMENT OF NATIONAL TREASURY, MOF.....	13
VI.	OIL AND PETROLEUM PRODUCTS: ENERGY COMMISSION, MINISTRY OF ECONOMIC AFFAIRS; SALT: DEPARTMENT OF MINES, MINISTRY OF ECONOMIC AFFAIRS.....	15
VII.	FISHING BOATS: COUNCIL OF AGRICULTURE; VESSELS: DEPARTMENT OF NAVIGATION & AVIATION, MINISTRY OF TRANSPORTATION AND COMMUNICATIONS (MOTC); CIVIL AIRCRAFT: CIVIL AERONAUTICS ADMINISTRATION, MOTC.....	17
VIII.	FIREARMS, AMMUNITION, CONTROLLED SWORDS, POLICE WEAPONS: NATIONAL POLICE ADMINISTRATION, MINISTRY OF INTERIOR; INDUSTRIAL USE EXPLOSIVES: BUREAU OF MINES, MINISTRY OF ECONOMIC AFFAIRS.....	19
IX.	TARIFF QUOTA: DEPARTMENT OF CUSTOMS ADMINISTRATION, MINISTRY OF FINANCE.....	22
	ANNEX A - REVISED GOVERNING REGULATIONS.....	25
	ANNEX B - CONSOLIDATED LIST OF TPKM'S WTO-ILP QUESTIONNAIRES AND THEIR RESPECTIVE GOVERNING REGULATIONS IN 2003.....	26

I. COMMODITIES SUBJECT TO CONDITIONAL IMPORT, IRON AND STEEL PRODUCTS, OPTICAL DISK MANUFACTURING EQUIPMENT: BUREAU OF FOREIGN TRADE, MINISTRY OF ECONOMIC AFFAIRS

Outline of system

1. Import licensing system is regulated by Article 11 of the "Foreign Trade Act" (hereinafter the "FTA"), which provides that commodities can be imported freely into the territory. However, where treaties, trade agreements, national security, culture, hygiene, environmental/ecological protection, or policy require restriction on imports, the Negative List shall apply. The Bureau of Foreign Trade (hereinafter the "BOFT") therefore compiles and publishes the "List of Commodities Subject to Import Restriction". The imposition of such restriction is pursuant to the "Regulations Governing Import of Commodities" as mandated by the FTA. Commodities listed therein fall into two categories: one is subject to import control, i.e. no import is allowed (the BOFT can make an exception and give a special approval for commodities in this category). Commodities in the second category are subject to conditional import, i.e. import is allowed if conditions (which might include the submission of an approval document from a relevant competent authority) set forth in the list are fulfilled. The issuance of an Import Permit by BOFT for the import of commodities in this category is granted upon fulfillment of the said conditions and is so that the Customs Administration may facilitate the clearance by checking only the permits issued by BOFT.

Such commodities as Methyl Bromide, HCFC are subject to conditional import in order to be in line with the Montreal Protocol, etc. The import of "Iron and Steel Products" is subject to import licensing procedures in order to monitor imports and requires issuance of an Import Permit by the BOFT; while import of "Optical Disks Manufacturing Equipment" is subject to measures taken for safeguarding intellectual property rights, and requires an import clearance certificate issued by the BOFT. The Customs Administration needs only to check the Import Permit or import clearance certificate issued by the BOFT, thereby facilitating the customs clearance without the binding of other restrictive regulations.

Purposes and coverage of licensing

2. The commodities, which require an Import Permit issued by the BOFT, are referenced in the "Consolidated List of Commodities Subject to Import Restriction and Commodities Entrusted to Customs for Import Examination" (G/LIC/N/1/TPKM/1 and G/LIC/N/1/TPKM/2) (hereinafter the "Consolidated List"). Copies of the Consolidated List and legislation referred to in this notification are available for consultation in the Secretariat.

With the information on the licensing coverage on "Iron and Steel Products", a list of the 471 items of Iron and Steel Products under import surveillance has also been deposited in the WTO Secretariat for reference (G/LIC/N/2/TPKM/1), the lists were subsequently readjusted to 531 items on account of commodity recategorization.

The import certification system for "Optical Disk Manufacturing Equipment" covers the following items:

C.C.C. Code 8477.10.90.20-3, 8479.89.99.20-8, and 8480.71.90.10-6.

The import licensing/certification system regarding conditional import, "iron and steel products" and "optical disk manufacturing equipment", under the BOFT is automatic, though the

BOFT Import Permit for commodities subject to conditional import required often follows only upon the meeting of such conditions as the approval of other relevant agencies.

3. The system applies to goods originating in and coming from all countries and customs territories, unless otherwise specified in the accession protocol of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu or the agreement on the terms of accession to the WTO.

4. The import permits issued by the BOFT are not designed to restrict the quantity or value of imports; rather they only serve the purpose of confirming to the Customs authorities that the prescribed import conditions have been met. With the assistance of the BOFT to verify the importers' qualifications and the compliance of the imports with the import regulations through the BOFT's Import Permit issuance, the Customs Administration can accelerate the customs clearance. The purpose for the issuance of an Import Clearance Certificate for optical disk manufacturing equipment is to prevent infringements of intellectual property rights. There is no other import procedure for these commodities that can be substituted to in order to avoid the delay encountered from this customs clearance procedure.

5. Although the BOFT licensing/certification system is governed by the "Regulations Governing Import of Commodities" mandated by the FTA and the "Optical Disk Manufacturing Equipment Import Export Regulations" which are mandated by the Optical Disk Law, repeal of the system does not require legislative action.

Procedures

6. Not applicable.

7. Application for a licence:

(a) May be filed on any workday.

(b) Will be granted within 20 minutes.

(c) Has no limitations as to the period of the year in or for which application may be made.

(d) Is considered and effected by either BOFT and its Kaohsiung Office, MOEA United Service Centre (Central Taiwan), Economic Processing Zone Administration or Science-based Industrial Park Administration.

8. None. The reasons for any refusal are given to the applicant in writing. In the event of refusal, by law, the applicant has a right to appeal by following the procedures provided by the law.

Eligibility of importers to apply for licence

9. According to the FTA and the "Regulations Governing Import of Commodities", only firms registered with the BOFT as importers are permitted to engage in the business of importation. Firms or individuals not registered as importers may import if the imported goods are for the firms' or individuals' own use.

Based on the "Regulations Governing Registration and Administration of Exporters and Importers", firms engaging in export/import or sale business listed on its business licence are eligible for registration. There is no registration fee required. Although the list of registered importers is not published, the BOFT welcomes any inquiry on it.

Documentational and other requirements for application for licence

10. With the application (See ANNEX A), an importer is required to supply the documents referred to in the Consolidated List, where the relevant import regulation codes are provided.
11. Upon actual importation, only the Import Permit or import clearance certificate and the documents for customs clearance are required.
12. There is no licensing fee or administrative charge.
13. There is no deposit or advance payment requirement.

Conditions of licensing

14. According to the Regulations Governing Import of Commodities, an Import Permit issued by the BOFT shall be valid for six months from the day of issuance except in very few situations where the quota is administered periodically. If importation cannot be made within the prescribed validity period, the importer may apply to the BOFT for extension of the validity. The import clearance certificate for Optical Disk Manufacturing Equipment has no time limit.
15. There is no penalty for the non-utilization of a licence.
16. Licences are not transferable between importers.
17. There are no other conditions attached to the issuance of a licence besides those specified in the relevant import regulations.

Other procedural requirements

18. No. However, if the imported goods are subject to quarantine or inspection, there is a quarantine or inspection procedure apart from import licensing.
19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

II. METHYL BROMIDE AND HYDROCHLOROFUOROCARBONS (HCFCs): ENVIRONMENTAL PROTECTION ADMINISTRATION (EPA)

Outline of system

1. This licensing system is the control measure taken as necessary to be in compliance with the Montreal Protocol. Any applicants wishing to import these controlled substances shall apply for import license and quota in advance. The granting requirements and procedures are specified within the "Methyl Bromide Management Regulations" and the "HCFCs Consumption Management Regulations" set and administered by the EPA. With such license, the applicant then can acquire the Import Permit from the Bureau of Foreign Trade (BOFT) of the MOEA, which will be used for clearance of the shipments at the custom.

Purposes and coverage of licensing

2. The products under this system are subject to non-automatic licensing, and they are:
 - (a) Methyl Bromide: C.C.C. 2903.30.90.21-4, 3808.90.92.10-6.
 - (b) HCFCs: C.C.C. 2903.49.00.11-4, 2903.49.00.21-2, 2903.49.00.22-1, 2903.49.00.23-0, 2903.49.00.24-9, and 2903.49.00.32-9.

The following goods, which are composed of chemicals controlled under the Montreal Protocol, are also covered by this system: C. C. C. 2903.49.00.90-8, 3824.71.00.00-2, 3824.79.00.00-4, and 3824.90.99.31-4.

3. Imports shall be made only from signatories to the Montreal Protocol or from countries or areas that have been approved and promulgation by the Environmental Protection Administration.
4. This system is made in compliance with the provisions of the Montreal Protocol.
5. This system could be abolished without legislative approval.

Procedures

- 6.I. Information concerning granting and allocating of import quota is clearly stipulated by the EPA, and has been published both in the Gazettes of EPA and the Government and release to the press.
- II.(a) Methyl Bromide: Quota will only be issued for quarantine or pre-shipment treatment uses. An approval issued shall be valid for six months. Application for approval is filed on a six-monthly basis.
- (b) HCFCs: The quota is set annually. The domestic quota is calculated by multiplying the base year consumption provided in the Montreal Protocol by a deduction rate. Quota is allocated to firms based on total quota and past performance of firms with priorities given to users.
- III.(a) Methyl Bromide: Each entity wishing to import shall report its intended import amount for the coming six months period prior to the end of February and August of each year. Accompanying with document showing the quantity of actual clearance of shipment in the previous period. Unused quota for the first half year could be carried over to the second half of the same year, but cannot be carried over to the next year.
- (b) HCFCs: Importers or users who have obtained quotas may apply for import. Unused quota shall not be re-allocated.
- IV.(a) Methyl Bromide: Upon the date of issuing of quota, applications may begin filing for acquiring import permit.
- (b) HCFCs: Quotas shall be issued on a quarterly basis and are to be used within that quarter.
- V. Applications for approval are processed within 7 to 30 days.
- VI. There is no waiting period between the granting of licences and the date of opening of the period of importation.

VII. Import approval must be granted by the EPA before obtaining the import permit from the BOFT.

VIII. The use and the quantity of the goods to be approved for import must conform to the scope provided in the Montreal Protocol; only then may a special case approval be issued. Quota allocations use past practical merit as a standard.

IX. These approval issuance procedures adopt import control to limit import quantity. There are no bilateral agreements or export restraint arrangements; no import licence from the exporting country is required.

X. The quantity is controlled by the importing country. No import licence from the exporting country is required.

XI. No approvals or licences are issued on the condition that goods imported must be re-exported and not sold in the domestic market.

7. Not applicable.

8. Reasons for any refusal are given to the applicant in writing. In the event of refusal, by law, the applicant has a right to appeal by following the procedures provided by the law.

Eligibility of importers to apply for licence

9. Not every individual, company or organization has the qualifications to apply for a licence. An applicant must prove that the use and the volumes will conform to the scope provided for in the Montreal Protocol.

Documentational and other requirements for application for licence

10.A. For Methyl Bromide, the documents required for an application are:

- (1) A photocopy of the importer's seal impression card (requested if it is the first time they have applied),
- (2) The statistical data and customs import declaration with respect to quantity of restricted methyl bromide imported within two years prior to the imposition of control (requested if it is the first time they have applied).
- (3) Documented proof of the quantity/volume imported in the previous period.
- (4) An application to import methyl bromide for quarantine or pre-shipment treatment shall separately submit evidentiary documents with respect to such purposes.

B. For HCFCs, the documents required for an application are:

- (1) Importer seal impression card.
- (2) A table showing quantity statistics for the applicant's import of controlled substances imported within the two years prior to the implementation of import control.
- (3) The import certificate(s) issued previously to the applicant by Customs.
- (4) A photocopy of such Customs-stamped import declaration(s).

11. Upon actual importation, an import permit issued by the BOFT and documents required for customs clearance shall be submitted.

12. No licensing fee or other administrative fee is required.
13. No deposit or advance payment for the application shall be required.

Conditions of licensing

- 14.A. Methyl Bromide: import approval is valid for six months. Every six months application must be made again for import approval. An approval can be extended for another six months if the application for it was filed in the first half of the year.
- B. HCFCs: import approval is valid for three months and no extension is allowed.
15. Unused quota shall be deducted from the quota for the next year.
16. Quota can only be transferred between importers with the same eligibility, but quota allocated to users is not transferable.
17. There are no additional conditions besides the quantitative limits of the quotas.

Other procedural requirements

18. There are no other administrative procedures apart from the aforesaid requirements.
19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

III. BREEDING LIVESTOCK/POULTRY AND GENETIC RESOURCES: COUNCIL OF AGRICULTURE

("Genetic" for the purposes of this import system refers to the reproductive resources of semen and/or embryos for livestock and poultry breeding and not to genetic engineering resources or purposes).

Outline of system

1. In order to ensure a healthy environment favorable to the livestock raising business, to preserve public health and safety of human beings and animals, and prevent the entrance from foreign countries of infectious diseases and/or exotic pests, imported animals are screened and controlled to ensure that they are suited to be raised in the domestic environment and to prevent sick or improper breeds from being imported, so as to meet the needs of developing a sound animal industry, the Council of Agriculture promulgated the "Guidelines for Screening Applications for the Letter of Approval for the Importation of Breeding Livestock and Poultry and Genetic Resources" according to the "Animal Industry Act". Importers of breeding animals and genetic resources must first obtain a letter of approval from the Council of Agriculture with which to use for customs clearance.

Purposes and coverage of licensing

2. The applicable commodities consist of all breeding livestock/poultry animals and genetic resources. Based on the Commodity Classification Code for such commodities as specified in the rules, this covers:

0101.11.00.00-5, 0102.10.00.00-5, 0103.10.00.00-4, 0104.20.00.10-9, 0105.11.10.00-9, 0105.12.10.00-8, 0105.19.10.00-1, 0105.92.10.00-1, 0105.99.10.00-4, 0105.93.10.00-0, 0106.00.21.21-3, 0511.10.00.00-0, 0511.99.91.20-0, 0511.99.92.20-9

For all the above-listed code numbers, the letter of approval for importation will not be automatically issued.

3. Except if it is a case of a disease-infected area, the import areas are not restricted other than according to the WTO agreement and the WTO accession agreement.

4. The purpose of issuing a letter of approval for importation is to facilitate the control of animal species or breeds, and to quarantine and track the imported breeding animals and genetic resources. Not included are experimental animals for scientific and research utilization, which may be imported through specially approved experimental projects verified or certified by the related research organizations for the purposes of productive performance tests.

5. The rules are made in accordance with the “Guidelines for Screening Applications for the Letter of Approval for the Importation of Breeding Livestock and Poultry and Genetic Resources”. The abolition of these rules would not require the approval of or passage by the legislative branch of the government.

Procedures

6. There is no restriction regarding import quantity or value.

7.(a) Importers may apply for breeding livestock/poultry and genetic resources any time they need to do so. Such application for letter of approval for importation of breeding livestock must be filed with the Bureau of Business Management of the specific municipality or county in which the animal(s) are to be raised, for examination and review. The application document will then be forwarded to the Council of Agriculture for approval and issuance of the letter of approval for importation. Application for the letter of approval for importation of breeding poultry is made with the National Animal Industry Foundation, which first examines the application documents and then forwards them to the Council of Agriculture for issuance of the letter of approval for importation. Application for the letter of approval for importation of genetic resources can be filed with the Council of Agriculture directly for approval. It requires five working days to process the documents at each processing unit. An applicant should obtain the letter of approval for importation within ten working days.

(b) The application for letter of approval for importation must follow the above-mentioned procedures for examination and verification. It can not be approved immediately upon its submission.

(c) There is no restriction as to any specific season for importers to apply; they can make their applications whenever they need to do so.

(d) The Council of Agriculture is the only competent central organization, which governs and issues letters of approval for the importation of breeding livestock and poultry and genetic resources.

8. All applications made in accordance with the regulations stipulated in the “Guidelines for Screening Applications for the Letter of Approval for the Importation of Breeding Livestock and Poultry and Genetic Resources” shall not be denied. For any non-conforming, rejected application, a

statement of the reason shall be made to the applicant, who may file a complaint to the Council of Agriculture or make appeal to the higher-level, supervising agency of this Council, in accordance with the Law of Appeals.

Eligibility of importers to apply for licence

- 9.(a) To import breeding livestock and poultry:
The applicant must be a registered livestock or poultry farm owner, but a trading company can be authorized to handle the application procedures on behalf of a registered farm owner.
- (b) To import genetic resources:
Same as above (a) but a registered trader can also apply for a letter of approval on their own behalf.

Documentational and other requirements for application for licence

10. The applicant must obtain the documents required for the application from the competent governments of the particular municipalities or counties and from the Council of Agriculture. The required documents that must be included in the application are: the application form, the applicant's farm registration certificate, and a proforma-invoice from the overseas exporters. For breeding livestock importation, a pedigree certificate is also required.

11. For customs declaration, the applicant shall need to present the letter of approval for importation issued by the Council of Agriculture, along with all the required documents to apply to customs for import. For quarantine requirements, the applicant has to make the quarantine application to the Bureau of Animal and Plant Health Inspection and Quarantine (also known as BAPHIQ) for reservation of retention space at a quarantine station. After this has all been taken care of, the importer can go ahead with the work of importing the animals/genetic resources.

12. No payment or fee shall be collected for the application regarding import permit-issuance and other administrative or management procedures.

13. No deposit or payment shall be incurred in relation to the application for letter of approval for importation issuance.

Conditions of licensing

14. An approval letter shall be valid for six months from the day following its issue, after which it shall become invalid and expired.

15. Applicants who do not import the commodities as specified in the letter of approval for importation shall not be penalized.

16. The letter of approval for importation applies only to the particular applicant and is not transferable.

17. Within the tracing and quarantine period which is altogether six months, to move the imported breeding livestock or poultry to any other location, notice of intent to do so must be filed with the competent governments of the specific municipalities or counties before being allowed to move the animal(s). Should any applicant move such animals without filing or reporting, they shall be denied issuance of any letters of approval for importation for the ensuing two years.

Other procedural requirements

18. Other administrative procedures mainly have to do with the quarantine work, for which application must be made to the BAPHIQ, in accordance with "The Statute for Prevention and Control of Infectious Animal Diseases."

19. The foreign exchange needed for the import commodities shall be automatically provided by the governing banks in charge of such import business.

IV. YELLOW-FIN TUNA, BLUEFIN TUNA, SOUTHERN BLUEFIN TUNA, SWORDFISH, BIG-EYE TUNA: FISHERY ADMINISTRATION, COUNCIL OF AGRICULTURE

Outline of system

1. Import licensing for the products specified below is regulated by the "Screening Criteria and Procedures Regarding Applications for Written Approval to Import Yellow-fin Tuna", "Notice of Application for Written Approval Licence to Import, Export and Re-export Bluefin Tuna, and Original Statistical Document", "Notice of Application for Written Approval Licence to Import, Export and Re-export Southern Bluefin Tuna", "Notice of Application for Written Approval Licence to Import Swordfish", "Notice of Application for Written Approval Licence to Import Big-eye Tuna", and is administered by the Council of Agriculture. Before being allowed to import, importers must obtain written approval from the Fishery Administration, Council of Agriculture.

Purposes and coverage of licensing

2. The products under the System include yellow-fin tuna (C.C.C. 0302.32.00.00-7; 0303.42.00.00-4), Bluefin Tuna (C.C.C. Code.0302.39.00.10-8; 0303.49.00.10-5; 0304.10.90.51-0; 0304.20.90.31-3), Southern Bluefin Tuna (C.C.C.0302.39.00.20-6; 0303.49.00.20-3; 0304.10.90.52-9; 0304.20.90.32-2), Swordfish (C.C.C.0302.69.99.50-4; 0303.79.99.80-5; 0304.10.90.60-9; 0304.20.90.40-2), and Big-eye Tuna (C.C.C. 0303.49.00.30-1; 0304.20.90.33-1).

The licensing system is non-automatic.

3. The system applies to goods originating in and coming from all countries and customs territories, unless otherwise specified in the accession protocol of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu or the agreement on its terms of accession to the WTO.

4. The licensing system is intended to protect marine ecology.

5. The System may be abolished without legislative approval.

Procedures

6. Not applicable.

7. Applications for an import approval:

(a) May be filed on any workday.

(b) Cannot be approved immediately as examination requires ten workdays.

- (c) Have no limitations as to the period of the year during which they may be submitted and approved.
 - (d) Are considered and effected by one administrative body only.
8. None. The reasons for any refusal are given to the applicant in writing. In the event of refusal, by law, the applicant has a right to appeal by following the procedures provided by the law.

Eligibility of importers to apply for licence

9. The applicant shall be an importer.

Documentational and other requirements for application for licence

10. An application shall be supported by an application form, and accompanied by one photocopy of the applicant's company licence and business licence. Also required are an original copy of the statistical documentation for bluefin tuna and southern bluefin tuna, the certificate of origin for yellowfin tuna and bigeye tuna, the certificate of eligibility for swordfish issued by the government of the flag country of the fishing vessel that harvested the product in the shipment, one photocopy each of the nationality certificate of the fishing vessel and the fishing vessel licence, and one original and one photocopy of the foreign-issued quotation form.

11. Upon actual importation, an importer is required to submit the import approval issued by the Fisheries Administration.

12. No fee is charged for applications.

13. No deposit or advance payment is required in association with the issuance of an approval.

Conditions of licensing

14. An approval is valid for three months. A new application shall be filed upon expiration.

15. There is no penalty for the non-utilization of an approval.

16. Approval documents are not transferable between importers.

17. If importation is prohibited because of changes in domestic or foreign laws and regulations or it is not feasible, the approval document shall be null and void. Quarantine and other matters concerning the importation shall be governed by other applicable regulations.

Other procedural requirements

18. There are no other administrative procedures, apart from obtaining an approval document prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

V. TOBACCO, LIQUOR PRODUCTS, AND UN-DENATURED ETHYL ALCOHOL: DEPARTMENT OF NATIONAL TREASURY, MOF

Outline of system

1. The import licensing system is regulated by “The Tobacco and Alcohol Administration Law”, ”Enforcement Rules of The Tobacco and Alcohol Administration Law “ and “Regulations Governing Undenatured Ethyl Alcohol”, and is administered by the Department of National Treasury, MOF (hereinafter the “DNT”). However, licences are issued by the Industrial Development Bureau, Ministry of Economic Affairs (hereinafter the “IDB”) or the Ministry of National Defense (hereinafter the “MND”) if the ethyl alcohol is for military use or for use in industries other than the manufacturing of spirits or pharmaceuticals.

Purposes and coverage of licensing

2. The licensing system covers cigarettes, alcohol, and un-denatured ethyl alcohol, as identified by C.C.C. Code: 2103.90.90, 2203~2208 (with the exception of 2207.20), 2402~2403 (with the exception of 2403.91.00 and 2403.99.10). The system is subject to non-automatic licensing.

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

4. The system is intended to ensure the sound management of imports pursuant to the above-mentioned laws and regulations.

5. Laws, regulations and application procedures on this import licensing system are available on the DNT web site (www.dnt.gov.tw). (Some cases require another import approval). Repeal of the system would require legislative approval.

Procedures

6. Not applicable.

7. Applications for licences or import approvals:

(a)-(b) Need to be made at least 30 days in advance of importation, and a licence can be issued within 7 to 45 days.

(c) May be submitted on any working day.

(d) Are considered and effected by the DNT. However, import approvals are issued by the IDB or the MND if the ethyl alcohol is for military use or for use in industries other than the manufacturing of spirits or pharmaceuticals.

8. None. The reasons for any refusal are given to the applicant in writing. In the event of refusal, by law, the applicant has a right to appeal by following the procedures provided by the law.

Eligibility of importers to apply for licence

9. Pharmaceutical firms, manufacturers and military institutions (including military schools and military hospitals), subject to the administrative rules and verification of correct usage, are eligible to apply for import approvals. Information about registration fees and the list of authorized importers will be disclosed.

Documentational and other requirements for application for licence

- 10.(a) For tobacco alcohol importer licences: applicants are required to submit with their application photocopies of the company licence, their business registration, national identification card of the responsible person, and certification fee.
- (b) For approval to import alcohol for repackaging and in containers holding over 5 liters: applicants are required to fill out an application and with it submit: photocopies of their tobacco alcohol importer licence, national identification card of the responsible person, certificate of origin, alcohol manufacturer's licence, and commission contract to import and/or proof of permission to repackage and sell from the Ministry of Finance.
- (c) For approval to import un-denatured ethyl alcohol:
- (1) DNT approval: business licence, consumption volume document and proof of self-use.
 - (2) IDB approval: statement of usage and manufacturing permit licence.
 - (3) MND approval: Procurement document; Certification from the relevant MND components.
11. Upon actual importation, an importer is required to submit the following documents:
- (a) For tobacco and alcohol products and un-denatured ethyl alcohol for manufacturing alcoholic beverages: photocopy of the tobacco alcohol importer licence.
- (b) Un-denatured alcohol products to be repackaged and in containers holding over five litres: photocopy of the DNT's approval document and a certificate of origin.
- (c) Undenatured ethyl alcohol not for manufacturing alcoholic beverages: Import approval by authorities as in item 10(c).
12. Examination fees (NTD2,000) and certification fees (NTD2, 000) are charged for the tobacco alcohol importer permit licence. There are no other licensing fees or administrative charges for import approval.
13. There is no deposit or advance payment requirement associated with the issuance of licences or import approval.

Conditions of licensing

14. Tobacco alcohol importer licence: duration unlimited; approval to import undenatured ethyl issued by IDB: one year; approvals other than the above-mentioned: six months.
15. There is no penalty for non-utilization of import licences or approvals.
16. Licences and import approvals are non-transferable between importers.
17. There are no other conditions attached to the issuance of licences or approvals.

Other procedural requirements

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

VI. OIL AND PETROLEUM PRODUCTS: ENERGY COMMISSION, MINISTRY OF ECONOMIC AFFAIRS; SALT: DEPARTMENT OF MINES, MINISTRY OF ECONOMIC AFFAIRS

Outline of system

1. The licensing of imports of oil and petroleum products specified below is regulated by the "Petroleum Administration Law". The importer is required to submit an approval from the Energy Commission, MOEA to customs for clearance. The licensing of imports of salts is regulated by the Statute of Salt Administration and its By-laws. An importer of salts is required to get an approval from the Department of Mines, MOEA.

Purposes and coverage of licensing

2. The licensing under this system is non-automatic. The oil and petroleum products covered by this system are naphtha, crude oil, gasoline, jet fuel, kerosene, diesel, fuel oil and liquefied petroleum gas. Their C.C.C. codes are as follows: 2707.99.10.00-2, 2710.00.94.00-4, 2709.00.10.00-8, 2709.00.90.00-1, 2710.00.11.00-4, 2710.00.12.00-3, 2710.00.19.00-6, 2710.00.60.00-4, 2710.00.21.00-2, 2710.00.22.00-1, 2710.00.23.00-0, 2710.00.29.00-4, 2710.00.32.00-9, 2710.00.39.00-2, 2710.00.41.00-8, 2710.00.49.00-0, 2711.12.00.00-2, 2711.13.00.00-1, 2711.19.10.00-3, 2711.29.10.00-1, 2901.10.20.00-0, 3606.10.00.00-0.

Salts include crude salt (C.C.C. code 2501.00.10.00-8), pure sodium chloride (C.C.C. code 2501.00.20.00-6) and other kinds of salt (C.C.C. code 2501.00.90.00-1).

3. The system applies to goods originating in and coming from all countries and customs territories, unless otherwise specified in the accession protocol of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, or the agreement on the terms of accession to the WTO.

4. The purposes of the system are to promote the sound development of the oil industry, maintain order in the production and sales in the oil market, ensure the steady supply of oil; to develop the national economy and enhance people's livelihoods, and at the same time to give equal consideration to environmental protection. With regard to salts, it is also to prevent proprietors from using low price, poor quality salt as table salt earning an improper profit and affecting public health. There is no other method for the import of these substances that can substitute for this current system.

5. The system is managed in accordance with the "Petroleum Administration Law" and "Statute for Salt Administration" and their By-laws. Repeal of the system would require legislative approval. However, the system is scheduled to be phased out as Taiwan Salt Industrial Corporation is privatized.

Procedures

6. Not applicable.

- 7.(a) An application can be submitted on any work day.
- (b) The licence cannot be granted immediately on request. For oil and petroleum products: the screening on the application will be completed within two working days. For salt, the application processing time is about three to five working days.
- (c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.
- (d) Applicants need to approach only one administrative body.

8. An application will not be refused for any reason other than failure to meet the prescribed conditions. The reasons an application is refused are furnished to the applicant. An applicant who is refused can file a complaint with the refusing agency or appeal to its superior agency according to the relevant provisions of the Appeal Law.

Eligibility of importers to apply for licence

9. Please refer to the governing regulations (see response to Question 5), which are available for reference in the Secretariat.

Documentational and other requirements for application for licence

10. There is no standard application form. Details and document requirements related to an application are set forth in the governing regulations (see response to Question 5), which are available for reference in the Secretariat.

11. Upon the arrival of imports, importers are required to submit the import approval.

12. There is no licensing fee or administrative charge.

13. There is no deposit or advance payment requirement associated with the issuance of an approval.

Conditions of licensing

14. The validity of an import approval for oil or petroleum products is 6 months from the date of issuance, but this can be increased or decreased by the agency which manages these import approvals when looking at the needs of the practical conditions. The validity of an import approval for salt is one year, and it can be extended for one month if necessary.

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. There are no conditions attached to the issuance of a licence.

Other procedural requirements

18. For oil and petroleum products, imported products have to pass inspection by Bureau of Standards, Metrology and inspection, MOEA. As for salts, there are no other administrative procedures apart from the above-mentioned licensing system.

19. Foreign exchange is automatically provided by the banking authority for goods to be imported.

VII. FISHING BOATS: COUNCIL OF AGRICULTURE; VESSELS: DEPARTMENT OF NAVIGATION & AVIATION, MINISTRY OF TRANSPORTATION AND COMMUNICATIONS (MOTC); CIVIL AIRCRAFT: CIVIL AERONAUTICS ADMINISTRATION, MOTC

Outline of system

1. Import of fishing boats:

Pursuant to the “Fisheries Law” and “the Guidelines for the Issuance of Fishing Boat Building Permits and Fishing Licences”, importers shall apply for an approval from the Council of Agriculture (COA) through the municipal or county/city government where the proposed port of registry is located.

Import of vessels:

Pursuant to “the Law of Shipping Industry”, “The Governing Rules on Carriers by Ship and Ship Leasing Companies”, “the Regulation of Small Vessels”, importers shall apply for an import approval from the Ministry of Transportation and Communications (MOTC) through the local competent authorities that have jurisdiction over the water territory where the vessels shall sail or where the vessels shall berth.

Import of civil aircraft:

Importers shall apply for an approval from the Civil Aeronautics Administration (CAA), MOTC through the authority-in-charge for inspection, according to the Civil Aviation Law, Regulation of Civil Air Transport Enterprise and the Regulation Governing General Aviation.

Purposes and coverage of licensing

2. The licensing system is non-automatic. The products covered are as follows:

- (a) Fishing boat: C.C.C. Code: 8902.00.10.10-9 and 8902.00.20.00-9.
- (b) Vessel: C.C.C. Code: 8901100000-2, 8901200000-0, 8901300000-8, 8901901000-3, 8901902000-1, 8901903000-9, 8901909000-6, 8903910000-2, 8903920000-1, 8904000000-1, 8905100000-8, 8905902000-7 and 8906009000-0.
- (c) Civil aircraft: C.C.C. Code: 8801.10.00.20-9, 8801.90.11.00-3, 8801.90.12.00-2, 8801.90.20.00-2, 8802.11.00.00-1, 8802.12.00.00-0, 8802.20.00.00-0, 8802.30.00.00-8, 8802.40.00.00-6, 8802.60.00.00-1, 8805.20.00.00-7.

3. The system applies to goods originating in and coming from all countries and customs territories, unless otherwise specified in the accession protocol of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu or the agreement on the terms of accession to the WTO.

4. The system is to ensure maintaining continuing use of fishery resources, to maintain safe navigable vessels within the territory of domestic waters and proper order within the water territory, and to maintain the order of air transport industry and the flight safety. There are no other methods that can substitute for the current system.

5. Any abolition of the “Fisheries Law”, “the Law of Shipping Industry” and “Civil Aviation Law” would require the endorsement of the legislative branch of the government. Abolition concerning “the Guidelines for the Issuance of Fishing Boat Building Permits and Fishing Licences”, “Operating Rules for Screening Applications to Import Fishing Vessels using New Fishing Methods”, “Administering Approach of Recreational Fishery”, “The Governing Rules on Carriers by Ship and Ship Leasing Companies”, “the Regulation of Small Vessels”, “the Regulation of Civil Air Transport Enterprise” and “the Regulations Governing General Aviation” do not need to be endorsed by the legislative branch of the government.

Procedures

6. Not applicable.

7.(a) No time requirement before importation is prescribed for acquisition of an import approval.

(b) A licence cannot be granted immediately on request. For fishing boats, it takes about two months. For vessels, within about 10 – 15 days. For civil aircraft, about 15 working days.

(c) There are no limitations as to the period of the year during which applications for a licence and/or importation may be made.

(d) Applicants have to approach only one administrative body.

8. None. The reasons for any refusal are given to the applicant in writing. In the event of refusal, by law, the applicant has a right to appeal by following the procedures provided by the law.

Eligibility of importers to apply for licence

9. The import of fishing boats is restricted to applicants from the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu. For vessels, the application shall be filed by the owner of the vessels or by the owner's agent. For civil aircraft, all persons and legal entities of the territory are eligible.

Documentational and other requirements for application for licence

10. There are standard application forms. Details and documentational requirements related to an application are set forth in the governing regulations (see response to Question 5), which are available for reference in the Secretariat.

11. Upon actual importation, an importer is required to submit the import approval issued by the competent authorities.

12. There is no licensing fee or administrative charge.

13. There is no deposit or advance payment requirement associated with the issuance of an approval.

Conditions of licensing

14. An import approval for fishing boats, vessels and civil aircrafts is valid for six months, and may be extended if necessary.

15. There is no penalty for the non-utilization of an approval or a portion of it.
16. Approvals are not transferable between importers.
17. There are no conditions attached to the issuance of an approval.

Other procedural requirements

18. There are no other administrative procedures apart from obtaining an approval document prior to importation.
19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

VIII. FIREARMS, AMMUNITION, CONTROLLED SWORDS, POLICE WEAPONS: NATIONAL POLICE ADMINISTRATION, MINISTRY OF INTERIOR; INDUSTRIAL USE EXPLOSIVES: BUREAU OF MINES, MINISTRY OF ECONOMIC AFFAIRS

Outline of system

1. For upholding the safety and peace of society, applicants importing the products specified below need to apply for an import approval before proceeding for customs clearance.

Import of Firearms, Ammunition:

Importers shall apply for an approval from the Ministry of Interior pursuant to the “Control of Firearms, Ammunition and Weaponry” and the “Measure Governing Permission and Administration of Firearms, Ammunition and Cutting, Pointed Weapons”.

Import of Controlled Swords:

Importers shall apply for an approval from the Municipal, City or County government pursuant to the “Control of Firearms, Ammunition and Weaponry ” and the “Measure Governing Permission and Administration of Firearms, Ammunition and Cutting, Pointed Weapons”.

Import of Police Weapons:

Importers shall apply for an approval from the Ministry of Interior pursuant to “The Use of Police Weapons Act ” and the “Measures Governing the Permission to Manufacture, Sell and Hold Police Weapons”.

Import of Industrial Use Explosives:

Importers shall apply for an approval from the Bureau of Mines of the Ministry of Economic Affairs pursuant to the “Industrial Use Explosive Material Management Code”.

Purposes and coverage of licensing

- 2.(a) Licensing coverage of “Firearms, Ammunition, Controlled Swords, Police Weapons” are C.C.C. Code: 3824909921-6, 7326909010-3, 9302000000-7, 9303100000-4, 9303200000-2, 9303300000-0, 9303909000-8, 9304000010-3, 9304000020-1, 9304000090-6, 9305100000-2, 9305210000-9, 9305290000-1, 9305900000-5, 9306100020-7, 9306210000-8, 9306290000-0, 9306300000-7, 9306900000-4, 9307000010-0, 9506990010-1, 9705000020-6.

- (b) Licensing coverage of "Industrial Use Explosive" are C.C.C. Code: 2838.00.00.10-2, 2850.00.90.10-6, 2904.20.00.13-4, 2905.50.90.10-0, 2905.50.90.20-8, 2908.90.00.10-8, 2921.42.00.10-0, 3505.10.90.10-1, 3601.00.10.00-5, 3601.00.20.00-3, 3601.00.90.00-8, 3602.00.10.00-4, 3602.00.90.00-7, 3603.00.10.00-3, 3603.00.20.00-1, 3603.00.30.00-9, 3603.00.40.00-7, 3912.20.00.10-5, 3912.20.00.20-3.

The licensing system is non-automatic.

3. The system applies to goods originating in and coming from all countries and customs territories, unless otherwise specified in the accession protocol of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu or the agreement on the terms of accession to the WTO.

4. The system is for the purpose of upholding the safety and peace of society. Currently, there are no other methods of import that can substitute for this system.

5. Abolition of the "Control of Firearms, Ammunition and Weaponry" and "The Use of Police Weapons Act" requires the endorsement of the legislative branch of the government; repeal of the "Measure Governing Permission and Administration of Firearms, Ammunition and Cutting, Pointed Weapons", "Measure Governing Permission and Administration of Firearms, Ammunition and Cutting, Pointed Weapons" and the "Industrial Use Explosive Material Management Code" does not need approval from the legislative branch of the government.

Procedures

6. Neither quantitative nor price limits are imposed on the importation of these products.

7. Application for an import approval:

(a) May be filed on any workday.

(b) No licence can be granted immediately as evaluation of application requires 7 working days.

(c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.

(d) For import of "Firearms, Ammunition, Police Weapons" or "Controlled Swords", an importer must approach the Ministry of Interior or the Municipal, City or County government separately for approval; for import of "Industrial Use Explosives", an importer must approach the Bureau of Mines of the Ministry of Economic Affairs for approval.

8. None. The reasons for any refusal shall be given to the applicant in writing. In the event of refusal, the applicant has the right to file a complaint with the refusing agency or appeal to the agency superior to the refusing agency according to the Law of Administration Appeal.

Eligibility of importers to apply for licence

- 9.(a) To import “Firearms, Ammunition” and “Controlled Swords”, an applicant must be a government licensed business operator, user, or individual; to import “Police Weapons”, an applicant has to be commissioned for procurement by military agencies or police institutions.
- (b) To import Industrial Use Explosives, the importer must undergo governmental approval for the manufacture, processing, sale and/or use of explosives.

Documentational and other requirements for application for licence

- 10.(a) For “Firearms, Ammunition” and “Controlled Swords”: a letter of application stating the name, quantity of the goods, country of origin, country of sale, purpose and usage of the imported commodities, and power of attorney. For “Police Weapons”: a proof of procurement document from military agencies or police institutions stating intended quantity to be purchased and a product description document.
- (b) For “Industrial Use Explosives”: a letter of application stating the name, quantity of the goods, country of origin, method of transportation and the port of arrival.
11. Upon actual importation of “Firearms, Ammunition, Controlled Swords” or “Police Weapons”, an import approval issued by the Ministry of Interior or the Municipal, City or County government is required, and an import approval issued by the Bureau of Mines of the Ministry of Economic Affairs is required for import of “Industrial Use Explosives”.
12. There is no licensing fee or administrative charge.
13. There is no deposit or advance payment requirement associated with the issuance of an approval.

Conditions of licensing

14. Approval documents from the Ministry of Interior, the Municipal, City or County government, and the Bureau of Mines of the Ministry of Economic Affairs are valid for six months. Upon justifiable reason, the original licensing authority may extend the validity of the import approval documents.
15. There is no penalty for the non-utilization of an approval or a portion of it.
16. Approval documents are not transferable between importers.
17. There are no conditions attached to the issuance of an approval.

Other procedural requirements

18. Apart from obtaining, prior to importation, the above described approval document; there are no other administrative procedures.
19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

IX. TARIFF QUOTA: DEPARTMENT OF CUSTOMS ADMINISTRATION, MINISTRY OF FINANCE

Outline of system

1. "Tariff Quota" are regulated by the "Implementation Rules of Tariff Quota. "Tariff Quota" referred to in the said Rules means to assess a certain quantity for specified imported goods. The lower tariff rate applies on imported goods within the quota, and the normal tariff rate applies on imported goods in excess of the quota volume. The tariff quota is allocated by the Ministry of Finance or the delegated organizations or other entrusted authorities. Moreover, the Ministry of Finance delegates the Central Trust of China to allocate the Tariff Quota of the agricultural products, and entrusts the Bureau of Foreign Trade, the Ministry of Economic Affairs to distribute the Tariff Quota of small vehicles in advance.

Purposes and coverage of licensing

2. Agricultural and Industrial Products Subject to a Tariff Rate Quota Regime:

(a) Agricultural Products: Chicken, pork belly, animal offal (including pork offal, poultry offal, deer velvet), fresh pears (excluding European pears), bananas, red bean, liquid milk, peanuts, garlic bulbs, dried shiitake, dried day lily, young coconut, betel nuts, pineapples, mangoes, shaddocks, persimmons, dried longans and longan pulp, sugar (private sector), mackerel, carangid, sardine (herrings) and rice.

(b) Industrial Products: Small vehicles and chassis.

3. The tariff quota regime only applies to goods originating in WTO members.

4. Certificates of tariff quota are issued to control the numbers of imported goods within the quota volume.

5. The issuance of certificates of tariff quota is implemented according to the provisions of the said Rules, and is an administrative action pursuant to the said Rules authorized by the Customs Law. Therefore, the abolition of the certificates of tariff quota does not need approval from the legislative branch of the government.

Procedures

6. The products subject to restrictions on quantity or value: The decision of allocations is on a year basis in principle. The quota volume is decided in accordance with the concessions made under Chinese Taipei's accession to the WTO.

7. The products not subject to restrictions on quantity or the products imported from certain countries not subject to restrictions on quantity:

(a) Under the method of distribution in advance, certificates of tariff quota can be issued within a shorter period of time. According to Article 16 of the said Rules, under the situation that imported goods are applying the in-quota tariff rate of the method of distribution in advance, whilst the importers can not submit certificates on time but can rectify the procedure, the importers can apply for goods examined and released accompanied with the payment of guaranty deposit equivalent to the amount of customs calculated by the over-quota rate and rectify the procedure within the valid period of the certificates.

- (b) Importers will receive certificates of tariff quota after the process of applications, allocations, and announcement of the receivers.
 - (c) The decision of allocations is on a year basis in principle. Importers shall apply for allocation and import the said products within a specific period of time in that certain year.
 - (d) Has to approach only one administrative body.
8. Any reason of objection will be specified on the announced notices. The process of applying for allocation is transparent and open.

Eligibility of importers to apply for licence

9. The qualification of applicants is as follows:
- (a) Agricultural products: Rice, companies engaging in import and export business that have completed registration at the Bureau of Foreign Trade (under the Ministry of Economic Affairs), and also have registered as a food dealer at the Council of Agricultural. Other agricultural products, companies engaging in import and export business that have completed registration at the Bureau of Foreign Trade (under Ministry of Economic Affairs).
 - (b) Industrial products for small vehicles, importers and exporters who duly registered with the Bureau of Foreign Trade, Ministry of Economic Affairs, corporate entities, and individuals

Documentational and other requirements for application for licence

10. A sample application form is attached (see ANNEX B-(1)(2)(3)).
11. Upon actual importation, an Importer is required to submit certificates of tariff quota.
12. For the agricultural products under the method of Tariff Quota allocation conducted in the order applications are received. The applicants are required to pay NT1, 000 when they apply for quota allocation or in case of transference of quota.
13. For the agricultural products under the method of distribution in advance, the authorities will collect a performance bond or royalty whilst issuing the certification of tariff quota. The performance bond will be returned to the holder after the holder imports its total allocation before its certificates expire. The royalty is charged to obtain the right to import goods, and is non-refundable.

Conditions of licensing

14. The valid period of certificate of tariff quota:
- (a) Agricultural products under the method of distribution in advance, the quota is allocated on a year basis, and certificates are valid for products arriving on or before 1 September of that year, and can be extended if necessary.
 - (b) Industrial products for small vehicles are valid for products arriving on or before 31 December of that year, and there is no extension.
15. There is no penalty for the non-utilization of an approval or a portion of it.

16. For agricultural products under the method of distribution in advance, the quota distributed can be transferred partial or wholly within the valid period of the certificates, but not for small vehicles. To transfer quota, both obligee and transferee shall fill the application form of tariff quota and apply to the original authority which allocated the quota for transference of quota and the performance bond accompanied by the following documents:

- (a) The original certificates of tariff quota
- (b) The agreement of transference of tariff quota with mutual subscription
- (c) The agreement of transference of the performance bond with mutual subscription.

17. There are no conditions attached to the issuance of an approval.

Other procedural requirements

18. There are no other administrative procedures, apart from obtaining an approval document prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

ANNEX A

Revised Governing Regulations

as of August 2003

1. FOREIGN TRADE ACT
2. REGULATIONS GOVERNING IMPORT OF COMMODITIES
3. REGULATIONS GOVERNING REGISTRATION AND ADMINISTRATION OF EXPORTERS AND IMPORTERS
4. METHYL BROMIDE MANAGEMENT REGULATIONS
5. HCFCS CONSUMPTION MANAGEMENT REGULATIONS
6. CIVIL AVIATION LAW
7. REGULATION OF CIVIL AIR TRANSPORT ENTERPRISE
8. REGULATION GOVERNING GENERAL AVIATION
9. MEASURES GOVERNING PERMISSION AND ADMINISTRATION OF FIREARMS, AMMUNITION AND CUTTING, POINTED WEAPONS
10. THE USE OF POLICE WEAPONS ACT
11. MEASURES GOVERNING THE PERMISSION TO MANUFACTURE, SELL AND HOLD POLICE WEAPONS
12. INDUSTRIAL USE EXPLOSIVE MATERIAL MANAGEMENT CODE
13. THE IMPLEMENTATION RULES OF TARIFF QUOTA

ANNEX B

Consolidated List of TPKM's WTO-ILP Questionnaires and their Respective Governing Regulations in 2003

Subject(s) of Questionnaire	Licensing Authority	Governing Regulations	Date of Promulgation/Amendment	Contact Point
1.Commodities Subject to Conditional Import, Iron and Steel Products, Optical Disk Manufacturing Equipment	Bureau of Foreign Trade, Ministry of Economic Affairs	1. <u>FOREIGN TRADE ACT</u> 2. <u>ENFORCEMENT RULES OF THE FOREIGN TRADE ACT</u> 3. <u>REGULATIONS GOVERNING IMPORT OF COMMODITIES</u> 4. <u>REGULATIONS GOVERNING REGISTRATION AND ADMINISTRATION OF EXPORTERS AND IMPORTERS</u> 5. <u>OPTICAL DISK LAW</u> 6. <u>OPTICAL DISK MANUFACTURING IMPLEMENT IMPORTATION AND EXPORTATION REGULATIONS</u>	2002/06/12 Amended 2000/08/30 Amended 2003/07/02 Amended 2003/06/09 Amended 2001/11/14 Promulgated 2002/01/30 Amended	tonyan@trade.gov.tw
2.Methyl Bromide, HCFC	Environmental Protection Administration	1. <u>METHYL BROMIDE MANAGEMENT REGULATIONS</u> 2. <u>HCFCs CONSUMPTION MANAGEMENT REGULATIONS</u>	2003/05/21 Promulgated 2003/01/15 Promulgated	ylwu@sun.epa.gov.tw
3.Breeding Livestock/Poultry and Genetic Resources	Council of Agriculture	1. <u>GUIDELINES FOR SCREENING APPLICATION FOR LETTER OF APPROVAL FOR THE IMPORTATION OF BREEDING LIVESTOCK AND POULTRY AND GENETIC RESOURCES</u>	2002/07/24 Amended	vincent@mail.coa.gov.tw
4.Yellow-fin Tuna, Bluefin Tuna, Southern Bluefin Tuna, Swordfish, Big-eye Tuna	Fishery Administration, Council of Agriculture	1. <u>SCREENING CRITERIA AND PROCEDURES REGARDING APPLICATIONS FOR WRITTEN APPROVAL TO IMPORT YELLOW-FIN TUNA</u> 2. <u>NOTICE OF APPLICATION FOR WRITTEN APPROVAL LICENCE TO IMPORT, EXPORT AND RE-EXPORT BLUEFIN TUNA AND ORIGINAL STATISTICAL DOCUMENT</u> 3. <u>NOTICE OF APPLICATION FOR WRITTEN APPROVAL LICENCE TO IMPORT, EXPORT AND RE-EXPORT SOUTHERN BLUEFIN TUNA</u> 4. <u>NOTICE OF APPLICATION FOR WRITTEN APPROVAL LICENCE TO IMPORT SWORDFISH</u> 5. <u>NOTICE OF APPLICATION FOR WRITTEN APPROVAL LICENSE TO IMPORT, BIG-EYE TUNA</u>	2002/02/15 Amended 2000/07/25 Announced 2000/03/30 Announced 2001/09/12 Announced 2002/03/15 Announced	charlian@msl.fa.gov.tw

Subject(s) of Questionnaire	Licensing Authority	Governing Regulations	Date of Promulgation/Amendment	Contact Point
5. Tobacco, Liquor Products and Undenatured Ethyl Alcohol	Department of National Treasury, Ministry of Finance	1. <u>THE TOBACCO AND ALCOHOL ADMINISTRATION LAW</u> 2. <u>ENFORCEMENT RULES OF THE TOBACCO AND ALCOHOL ADMINISTRATION LAW</u> 3. <u>REGULATIONS GOVERNING UNDENATURED ETHYL ALCOHOL</u>	2000/04/19 Promulgated 2000/12/30 Promulgated 2000/12/30 Promulgated	sherrie@mail.dnt.gov.tw
6. Oil and Petroleum products	Energy Commission, Ministry of Economic Affairs	1. <u>PETROLEUM ADMINISTRATION LAW</u>	2001/10/11 Promulgated	slchen@moeaec.gov.tw
Salt	Department of Mines, Ministry of Economic Affairs	2. <u>STATUTE FOR SALT ADMINISTRATION</u> 3. <u>BYLAW OF THE STATUTE FOR SALT ADMINISTRATION</u> 4. <u>ANNOUNCEMENT OF THE STANDARDS AND PROCEDURES OF APPROVING THE APPLICATION FOR THE IMPORT OF SALT AND ISSUING PERMISSION DOCUMENT</u>	1981/11/16 Amended 1990/08/15 Amended 1996/05/14 Amended	ttsai@moea.gov.tw
7. Fishing Boats	Fishery Administration, Council of Agriculture	1. <u>FISHERIES LAW</u> 2. <u>ENFORCEMENT RULES OF THE FISHERIES LAW</u> 3. <u>THE REGULATION FOR FISHING VESSEL BUILDING PERMIT AND FISHERY LICENSE ISSUE</u> 4. <u>OPERATING RULES FOR SCREENING APPLICATIONS TO IMPORT FISHING VESSELS USING NEW FISHING METHODS</u> 5. <u>ADMINISTERING APPROACH OF RECREATIONAL FISHERY</u>	1991/02/01 Amended 2000/01/31 Amended 2001/09/28 Amended 1999/11/08 Amended 2001/07/31 Amended	charlian@msl.fa.gov.tw
Vessels	Department of Navigation & Aviation, Ministry of Transportation and Communications	6. <u>THE SHIPPING INDUSTRIES LAW (PARTIAL ARTICLES)</u> 7. <u>REGULATIONS OF SMALL VESSELS (PARTIAL ARTICLES)</u> 8. <u>THE GOVERNING RULES ON CARRIERS BY SHIP AND SHIP LEASING COMPANIES (PARTIAL ARTICLES)</u>	2002/01/30 Amended 1996/09/24 Amended 1996/07/17 Amended	lu_pan@motc.gov.tw
Civil Aircraft	Civil Aeronautics Administration, Ministry of Transportation and Communications	9. <u>Civil Aviation Law</u> 10. <u>REGULATION OF CIVIL AIR TRANSPORT ENTERPRISE</u> 11. <u>REGULATION GOVERNING GENERAL AVIATION</u>	2001/11/14 Amended 2002/12/13 Amended 2002/12/13 Amended	clcheng@mail.caa.gov.tw

G/LIC/N/1/
TPKM/4

G/LIC/N/3/
TPKM/2

Subject(s) of Questionnaire	Licensing Authority	Governing Regulations	Date of Promulgation/Amendment	Contact Point
8. Firearms, Ammunition, Controlled Swords	National Police Administration, Ministry of Interior	1. <u>MEASURES GOVERNING PERMISSION AND ADMINISTRATION OF FIREARMS, AMMUNITION AND CUTTING, POINTED WEAPONS</u> 2. <u>CONTROL OF FIREARMS, AMMUNITION AND WEAPONRY</u>	2002/10/02 Promulgated 2001/11/14 Promulgated	yoker@npa.gov.tw
Police Weapons	National Police Administration, Ministry of Interior	3. <u>SOCIAL ORDER MAINTAINING LAW (PARTIAL ARTICLES)</u> 4. <u>The Use of Police Weapons Act</u> 5. <u>Measures Governing the Permission to Manufacture, Sell and Hold Police Weapons</u>	1991/06/29 Promulgated 2002/06/26 Promulgated 2002/11/06 Promulgated	yug@npa.gov.tw
Industrial Use Explosives	Bureau of Mines, Ministry of Economic Affairs	6. <u>INDUSTRIAL USE EXPLOSIVE MATERIAL MANAGEMENT CODE</u>	2002/08/21 Amended	shunn@mine.gov.tw
9. Tariff Quota	Department of Customs Administration, Ministry of Finance	1. <u>THE IMPLEMENTATION RULES OF TARIFF QUOTA</u>	2002/06/12 Promulgated	hmhuang@mail.mof.gov.tw