



**AGREEMENT ON IMPORT LICENSING PROCEDURES**

NOTIFICATION UNDER ARTICLE 7.3<sup>1</sup> OF THE  
AGREEMENT ON IMPORT LICENSING PROCEDURES - 2015

SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU

The following notification, dated 2 September 2015, 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 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.

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

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**1 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 fulfilment 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 Assisted by 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 6 items of Iron and Steel Products under import surveillance has also been deposited in the WTO Secretariat for reference (G/LIC/N/1/TPKM/6, G/LIC/N/2/TPKM/4).

The import certification system for "Optical Disk Manufacturing Equipment" covers the following items: C.C.C. Code 8477.10.00.10-4, 8479.89.90.10-9, and 8480.71.00.10-5.

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 twenty (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 electronically. 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 of Exporters and Importers", except where other prohibitions or restrictions apply, a company or business firm that engages in export/import business is 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 I<sup>2</sup>), 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.

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<sup>2</sup> Available for consultation in the Secretariat (Market Access Division)(English and/or original language only).

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.

### **2 METHYL BROMIDE & HYDROCHLOROFLUOROCARBONS (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. 2903.39.90.21-5, 3808.99.92.10-7.

(b) HCFCs: C.C.C. 2903.71.00.00-8, 2903.73.00.00-6, 2903.74.00.00-5, 2903.72.00.00-7, 2903.79.00.10-8, 2903.75.00.00-4.

The following goods, which are composed of chemicals controlled under the Montreal Protocol, are also covered by this system: C. C. C. 2903.79.00.90-1, 3824.71.00.00-2, 3824.79.00.00-4, and 3909.30.10.00-8.

3. Imports shall be made only from signatories to the Montreal Protocol or from countries or areas that have been approved and promulgated 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 release to the press.
- II.(a) Methyl Bromide: Permission of importation 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.
- IV.(a) Methyl Bromide: Upon the date of issuing of importation permission, applications may begin filing for acquiring import permit.
- (b) HCFCs: Quotas shall be issued on a six-monthly basis and are to be used within that period.
- 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) Documented proof of importer/exporter registration (requested if it is the first time they have applied),
- (2) Documented proof of the quantity/volume imported and a photocopy of importer's import permit in the previous period.
- (3) A photocopy of import declaration.
- (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) Documented proof of importer/exporter registration (requested if it is the first time they have applied).
- (2) A table showing quantity statistics for the applicant's import of controlled substances imported.
- (3) A photocopy of import declaration.
- (4) An application to import HCFCs shall separately submit evidentiary documents with respect to such purposes.

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 for only one chance if the application for it was filed in two months before expiration.

(b) HCFCs: import approval is valid for six 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.

**3 BREEDING LIVESTOCK/POULTRY AND GENETIC RESOURCES, GENETICALLY MODIFIED BREEDING STOCK/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 favourable to the livestock raising business, and an adequate level of protection of the safe transfer, handling and use of genetically modified breeding stock/poultry and genetic resources resulting from modern biotechnology that may have adverse effects on the conservation and sustainable use of biological diversity, 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" and "The guidelines needed for obtaining approval for the import and export of genetically modified breeding stock and poultry and genetic resources" according to the "Animal Industry Act". Importers of breeding animals and genetic resources (the genetic resources of animal embryos and semen) must first obtain a letter of approval from the Council of Agriculture with which to apply for customs clearance.

## Purposes and coverage of licensing

2. The licensing system is non-automatic. The products covered and their C.C.C. Codes are as follows:

- (a) Breeding livestock/poultry animals and genetic resources:  
0101.21.00.00-3, 0102.21.00.00-2, 0102.31.00.00-0, 0102.90.10.00-6, 0103.10.00.00-4, 0104.20.00.10-9, 0105.11.10.00-9, 0105.12.10.00-8, 0105.13.10.00-7, 0105.14.10.00-6, 0105.15.10.00-5, 0105.94.10.00-9, 0105.99.10.00-4, 0106.19.10.21-5, 0106.33.00.10-2, 0511.10.00.00-0, 0511.99.91.20-0, 0511.99.92.20-9, and 0511.99.99.40-8.
- (b) Genetically modified breeding livestock/poultry animals and genetic resources:  
0101.21.00.00-3, 0102.21.00.00-2, 0102.31.00.00-0, 0102.90.10.00-6, 0103.10.00.00-4, 0104.20.00.10-9, 0105.11.10.00-9, 0105.12.10.00-8, 0105.13.10.00-7, 0105.14.10.00-6, 0105.15.10.00-5, 0105.94.10.00-9, 0105.99.10.00-4, 0106.19.10.21-5, 0106.33.00.10-2, 0407.11.90.00-7, 0407.19.90.00-9, 0511.10.00.00-0, 0511.99.91.20-0, 0511.99.92.20-9, and 0511.99.99.40-8.

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, bio-safety 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", and "The guidelines needed for obtaining approval for the import and export of genetically modified breeding stock 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) For importation of breeding livestock/poultry and genetic resources: importers may apply for letter of approval any time they need to do so. Such application 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. 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. Application for the letter of approval for importation of genetic resources can be filed with the Council of Agriculture directly. 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) For importation of genetically modified breeding livestock/poultry and genetic resources: importers may apply for letter of approval any time they need to do so. Such application can be filed with the Council of Agriculture directly. An applicant should obtain the letter of approval for importation depends on individual case.
- (c) The application for letter of approval for importation must follow the above-mentioned procedures for examination and verification. It cannot be approved immediately upon its submission.
- (d) There is no restriction as to any specific season for importers to apply; they can make their applications whenever they need to do so.
- (e) The Council of Agriculture is the only competent central organization that governs and issues letters of approval for the importation.

8. All applications made in accordance with the above-mentioned "Guidelines" 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 license**

- 9.(a) For breeding livestock and poultry:  
The applicant must be a registered livestock or poultry farm owner, but a trading company can be entrusted to handle the application procedures on their behalf.
- (b) For genetic resources (including embryos and semen for livestock and poultry breeding):  
A registered livestock or poultry farm owner or a registered trader are both eligible to apply for a letter of approval, on their own behalf, (as well as the trader can on behalf of a farm owner).
- (c) For genetically modified breeding livestock/poultry animals and genetic resources:  
The applicants are restricted to those who raise and breed breeding stock and poultry, a research institute and those who do business with breeding stock and poultry, but a trading company can be entrusted to handle the application procedures on their behalf.

#### **Documentational and other requirements for application for license**

- 10(a) Breeding livestock/poultry animals and genetic resources: 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, a proforma invoice from the overseas exporters. For breeding livestock and semen and/or embryos importation, a pedigree certificate and the qualified performance data are also required.
- (b) Genetically modified breeding livestock/poultry animals and genetic resources: The applicant must obtain the documents required for the application from the Council of Agriculture. The required documents that must be included in the application are: the application form, a photocopy of the certification papers of the applicant, Two copies of the related field test of the imported goods, which is completed by the institute certified by the



exporting country and of the bio-safe evaluation report in both the original language and Chinese translation, Two copies of the sequence data of the transferred genes, their performance locus, performance amount and other documents good enough for certification, One copy of the approving papers issued by the competent authorities of the exporting country (including the Chinese translation), One copy of the explication papers concerning the usage, the location where they are bred or preserved and the management fashion of the imported goods.

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 from the first day following its issue for a period of six months. The letter shall become invalid after its expiration date.

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(a) Breeding livestock/poultry animals and genetic resources: to move the imported goods to any other location within the tracing and quarantine period which is altogether six months, notice of intent to do so must be filed with the competent governments of the specific municipalities or counties before being allowed to move. 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.

(b) Genetically modified breeding livestock/poultry animals and genetic resources: After the imported goods complete the immunization procedures in flocks and are thus cleared, they have to be sent straightaway to the field test premises for assessment in accordance with "the Regulations of the field test and bio-safe evaluation of the genetically modified breeding stock and poultry". They cannot be reclaimed, put to use nor promulgated before they complete and pass the assessment.

### **Other procedural requirements**

18(a) 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."

(b) The import involving genetic manipulation shall follow other related regulations.

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

#### **4 YELLOW-FIN TUNA, BLUEFIN TUNA, SOUTHERN BLUEFIN TUNA, SWORDFISH, BIG-EYE TUNA: FISHERIES AGENCY, COUNCIL OF AGRICULTURE**

##### **Outline of system**

1. Import licensing for the products specified below is regulated by the "Notice of Application for Written Approval License to Import Yellow-fin Tuna", "Notice of Application for Written Approval Licence to Import, Export and Re-export Bluefin Tuna", "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, Export and Re-export Swordfish", "Notice of Application for Written Approval Licence to Import, Export and Re-export Big-eye Tuna", and is administered by the Council of Agriculture. Before being allowed to import, importers must obtain written approval from the Fisheries Agency, 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. 0301.94.00.00-3; 0302.35.00.00-4; 0303.45.00.00-1; 0304.49.90.11-4; 0304.59.90.11-1; 0304.87.00.10-7), Southern Bluefin Tuna (C.C.C. 0301.95.00.00-2; 0302.36.00.00-3; 0303.46.00.00-0; 0304.49.90.12-3; 0304.59.90.12-0; 0304.87.00.20-5), Swordfish (C.C.C. 0302.47.00.00-0; 0303.57.00.00-6; 0304.45.00.00-0; 0304.54.00.00-8; 0304.84.00.00-2; 0304.91.10.00-1; 0304.91.90.00-4), and Big-eye Tuna (C.C.C. 0303.44.00.00-2; 0304.87.00.30-3).

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 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 six 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 or business licence. Also required are an original copy of the

catch document for bluefin tuna, the statistical document for bigeye tuna, swordfish and southern bluefin tuna, the certificate of origin for yellowfin tuna issued by the government of the flag country of the fishing vessel that harvested the product in the shipment, and one photocopy of the foreign-issued quotation form.

11. Upon actual importation, the import declaration must be checked and the import approval will be issued on the "Integrated Agriculture Permit and Customs Declaration Platform" of Council of Agriculture.

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.

### **5 TOBACCO, ALCOHOL PRODUCTS AND UNDENATURED ETHYL ALCOHOL: NATIONAL TREASURY ADMINISTRATION, MINISTRY OF FINANCE AND OTHER RELEVANT COMPETENT AUTHORITIES**

#### **Outline of system**

1. The tobacco/alcohol importer permit licensing system and the issuance of documents of approval or evidencing the purpose of purchase are regulated by "The Tobacco and Alcohol Administration Act" and "The Regulations Governing Undenatured Ethyl Alcohol", in which the importer permit licensing system is administered by the Ministry of Finance (hereinafter the "MOF"). For importation of undenatured ethyl alcohol to be used for industrial purposes excluding alcohol manufacturing and pharmaceutical manufacturing, the documents of approval or evidencing the purpose of purchase issued by the Industrial Development Bureau, Ministry of Economic Affairs are required; for the manufacture of alcoholic beverages, the documents of approval or evidencing the purpose of purchase issued by the Ministry of Finance are required; for use by the military authority, military schools, or military hospitals, the documents of approval or evidencing the purpose of purchase issued by the Ministry of National Defense are required; for the manufacture of medicated alcohol, the documents of approval or evidencing the purpose of purchase issued by the Ministry of Health and Welfare are required; for medical purposes, the documents evidencing the commencement of business issued by the competent health authority are required; for testing purposes, the documents of approval or evidencing the purpose of purchase issued by the competent authorities for the testing products are required; for experimental research by schools, the documents of approval or evidencing the purpose of purchase issued by the Ministry of Education are required; for experimental research by the Academia Sinica, the documents of approval or evidencing the purpose of purchase issued by the

Academia Sinica are required; for energy purposes, the documents of approval or evidencing the purpose of purchase issued by the Bureau of Energy, Ministry of Economic Affairs are required. For importation of dehydrated alcohol with alcoholic strength over 99.5% and unit volume no more than five liters to be used for medication, inspection and experimental research, a photocopy of import license permit of undenatured ethyl alcohol issued by the Ministry of Finance is required.

### **Purposes and coverage of licensing**

2. The system covers tobacco, alcohol, and undenatured ethyl alcohol, as identified by the C.C.C. Code: 2103.90.90.10, 2103.90.90.20, 2203~2208 (with the exception of 2207.10.10 and 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 acts and regulations.

5. The acts, regulations and application procedures in relation to this system are available at the website of the National Treasury Administration, Ministry of Finance (<http://www.nta.gov.tw/>). Repeal of the system would require legislative approval.

### **Procedures**

6. Not applicable.

7. Applications for tobacco/alcohol importer licence permit or documents of approval or evidencing the purpose of purchase of undenatured ethyl alcohol :

(a)-(b) Although there is no provision governing how long in advance of importation application must be made for a permit licence, a licence may be issued within 7 to 15 working days from the date of application according to the nature of the documentation required to process the application.

(c) May be submitted on any working day.

(d) Consideration of licence permit applications is effected by the central competent authority MOF. However, import approvals or documents of evidencing the purpose of purchase are granted by the other relevant competent authorities for importation of undenatured ethyl alcohol not to be used in the manufacture or testing of alcoholic beverages.

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 permits**

9. Importers subject to the administrative rules and verification of correct usage, are eligible to apply for licence permits.

### **Documentational and other requirements for application for licence**

10.(a) For a permit licence to import tobacco/alcohol: Applicants are required to submit their applications with declarations and identifications of the responsible persons. For applicants intending to import undenatured ethyl alcohol, a plan of importing undenatured ethyl alcohol is required in addition.

(b) For approvals to import undenatured ethyl alcohol:

(1) MOF approval:

For purposes of processing or repackaging and sale in the manufacture of alcoholic beverages: applicants are required to submit their applications, supplementary explanation statements, and usage-assurance statements with the following documents: a photocopy of the identification of the responsible person, a certificate of safety issued by the competent Fire Agency, and a written authorization from the original producer for repackaging operation. In the case that the importation of undenatured ethyl alcohol is made by an importer based on a contract for commission with an alcohol producer for processing or for repackaging and sale, the above-mentioned documents as well as the contract of commission are required.

- (2) For undenatured ethyl alcohol not to be used in the manufacture of alcoholic beverages: applicants are required to submit their applications to the other relevant competent authorities.

11. Upon importation, an importer is required to submit the following documents:

- (a) For tobacco and alcohol products and undenatured ethyl alcohol for manufacturing alcoholic beverages: a photocopy of the tobacco/alcohol importer licence is required. When an importer imports undenatured ethyl alcohol, an import approval issued by the authorities as in Item 10(b)(1) is required.
- (b) For importation of alcohol products, undenatured ethyl alcohol for producing alcoholic beverages or tobacco products to be repackaged, a certificate of origin is required.
- (c) Undenatured ethyl alcohol not for producing alcoholic beverages: approvals to be issued by the other relevant competent authorities.

12. Examination fee (NTD2,000), license fee (NTD2, 000) and annual licence fee (NTD6,000, in proportion to the number of months of business operation for the first year) are charged for the tobacco alcohol importer license permit. There is no other administrative fee for application of documents of approval or evidencing the purpose of purchase in importing undenatured ethyl alcohol.

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

### **Conditions of licensing**

14. A tobacco/alcohol importer license permit is valid without due time. However, the licence permit will be revoked if the importer has not paid the annual license fee or has not operated its tobacco or alcohol import business for a period of two successive years. An approval to import undenatured ethyl alcohol for purposes of processing or repackaging and sale in the manufacture of alcoholic beverages is valid for six months. Other documents of approval or evidencing the purpose of purchase in importing undenatured ethyl alcohol not for the above-mentioned purposes are subject to the requirements of the other competent authorities.

15. There is no penalty for the non-utilization of import licence permits or documents of approval or evidencing the purpose of purchase of undenatured ethyl alcohol.

16. Import licence permits and documents of approval or evidencing the purpose of purchase of undenatured ethyl alcohol are non-transferable between importers.

17. There are no other conditions attached to the issuance of import licence permits or documents of approval or evidencing the purpose of purchase of undenatured ethyl alcohol.

### **Other procedural requirements**

18. There are no other administrative procedures, apart from the above-mentioned procedures.

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

## **6 OIL AND PETROLEUM PRODUCTS: BUREAU OF ENERGY, 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 Act". The importer is required to submit an approval from the Bureau of Energy, MOEA to customs for clearance.

### **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 oil, fuel oil and liquefied petroleum gas. Their C.C.C. codes are as follows:

2709.00.10.00-8, 2709.00.90.00-1, 2710.12.10.00-1, 2710.12.20.00-9, 2710.12.30.00-7,  
 2710.12.90.00-4, 2710.19.11.00-3, 2710.19.19.00-5, 2710.19.20.00-2, 2710.19.31.00-9,  
 2710.19.39.00-1, 2710.19.41.00-7, 2710.19.49.00-9, 2710.19.64.00-9, 2710.19.67.00-6,  
 2710.20.10.00-1, 2710.20.21.00-8, 2710.20.29.00-0, 2710.20.30.00-7, 2710.20.40.00-5,  
 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.

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. 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 Act". Repeal of the system would require legislative approval.

### **Procedures**

6. Not applicable.

7.(a) An application can be submitted on any work day.

(b) The import approval cannot be granted immediately on request. The screening on the application will be completed within two working days.

(c) There are no limitations as to the period of the year during which application for import approval 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 import approval**

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 import approval**

10. 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 Certificate No. (14 codes).

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 is 1 (one) month from the date of issuance, but this can be increased or decreased by the agency that manages these import approvals when looking at the needs of the practical conditions.

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

16. Import approvals are not transferable between importers.

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

### **Other procedural requirements**

18. Imported products have to pass inspection by Bureau of Standards, Metrology and Inspection, MOEA.

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

**7 FISHING BOATS: FISHERIES AGENCY, COUNCIL OF AGRICULTURE; VESSELS: DEPARTMENT OF NAVIGATION & AVIATION, MINISTRY OF TRANSPORTATION AND COMMUNICATIONS MARITIME AND PORT BUREAU (MOTCMPB); CIVIL AIRCRAFT: CIVIL AERONAUTICS ADMINISTRATION, MOTC**

### **Outline of system**

1. Import of fishing boats:

Pursuant to the "Fisheries Act", "Regulations for Fishing Vessel Building Permit and Fishery License Issue", "Operating Rules for Screening Applications to Import Fishing Vessels using New Fishing Methods" and "Regulations for the Import of Ex-foreign Flagged Squid Vessels of over 100 GRT Built in Taiwan and Operated by Taiwanese Nationals", importers shall apply for an approval from the Council of Agriculture (COA)".

Import of vessels:

When importing vessels, except yachts, power yachts and others that are not regulated by "the Law of Ships", importers shall provide a document of approval issued by the Maritime and Port Bureau of the MOTC.

**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 Act, Regulations of Civil Air Transport Enterprise, Regulations Governing General Aviation, Regulations Governing Private Aircraft Activities and Ultra-light Vehicle Regulations.

**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, 8902.00.10.90-2, 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, 8903920000-1, 8904000000-1, 8905100000-8, 8905902000-7 and 8906.90.90.00-1.
- (c) Civil aircraft: C.C.C.Code:8801.00.10.20-9, 8801.00.21.00-0, 8801.00.22.00-9, 8801.00.30.00-9, 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, 8805.21.00.10-4, 8805.29.00.10-6.

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" and "Civil Aviation Law" would require the endorsement of the Legislative Yuan. Abolition concerning "Shipping Act", "The Law of Ships", "Regulations for Fishing Vessel Building Permit and Fishery License Issue", "Operating Rules for Screening Applications to Import Fishing Vessels using New Fishing Methods", "Regulations for Administrating Vessel Carriers and Vessel Chartering Operators", "Regulations for the Import of Ex-foreign Flagged Squid Vessels of over 100 GRT Built in Taiwan and Operated by Taiwanese Nationals", "Regulations of Civil Air Transport Enterprise", "Regulations Governing General Aviation", "Regulations Governing Private Aircraft Activities" and "Ultra-light Vehicle Regulations" 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 10 to 20 days. 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.

### **8 FIREARMS, AMMUNITION, CONTROLLED SWORDS, SIMULATION GUNS, 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, Simulation Guns:

Importers shall apply for an approval from the National Police Administration, Ministry of Interior (hereinafter the "NPA") pursuant to the "Firearms, Ammunition and Knives Control Act" and the "Regulation Governing Permission and Control of Firearms, Ammunition, and Knives".

Import of Controlled Swords:

Importers shall apply for an approval from the Municipal, City or County police station pursuant to the "Firearms, Ammunition and Knives Control Act" and the "Regulation Governing Permission and Control of Firearms, Ammunition, and Knives".

**Import of Police Weapons:**

Importers shall apply for an approval from the NPA pursuant to "The Use of Police Weapons Act " and the "Regulations Governing the Permission to Manufacture, Sell and Possess 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 Explosives Administrative Act".

**Purposes and coverage of licensing**

- 2.(a) Licensing coverage of "Firearms, Ammunition, Controlled Swords, Simulation Guns, Police Weapons" are C.C.C. Code: 3824909921-6, 7326909010-3, 9302000000-7, 9303100000-4, 9303200000-2, 9303300000-0, 9303909010-6, 9303909090-9, 9304000010-3, 9304000020-1, 9304000030-9, 9304000090-6, 9305100000-2, 9305201000-8, 9305209000-1, 9305910000-4, 9305990090-7, 9306301020-1, 9306210000-8, 9306290000-0, 9306309000-8, 9306900000-4, 9307000010-0, 9506990010-1, 9705000020-6.
- (b) Licensing coverage of "Industrial Use Explosive" are C.C.C. Code: 2852.10.00.20-9, 2850.00.90.10-6, 2904.20.00.13-4, 2905.59.90.10-1, 2905.59.90.20-9, 2908.99.00.10-9, 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.

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 "Firearms, Ammunition and Knives Control Act ", "The Use of Police Weapons Act ", and "Industrial Explosives Administrative Act" requires the endorsement of the legislative branch of the government, repeal of the "Regulation Governing Permission and Control of Firearms, Ammunition, and Knives", "Regulations Governing the Permission to Manufacture, Sell and Possess Police Weapons" 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, Simulation Guns, Police Weapons" or "Controlled Swords", an importer must approach the NPA, Ministry of National Defense or the Municipal, City or County police station 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 of "Firearms, Ammunition", "Simulation Guns" 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", "Simulation Guns" 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 type of explosives, quantities, and imports shipping port or airport of entry.

11. Upon actual importation of "Firearms, Ammunition, Simulation Guns, Controlled Swords" or "Police Weapons", an import approval issued by the NPA, Ministry of National Defense or the Municipal, City or County police station 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 for Firearms, Ammunition, Controlled Swords, Simulation Guns, and Police Weapons. Administrative charge (NTD 3,000) is charged for the "Industrial Use Explosives" importer permit license.

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

#### **Conditions of licensing**

14. Approval documents from the NPA, Ministry of National Defense or the Municipal, City or County police station, 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.

## **9 TARIFF QUOTA: 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 Bank of Taiwan to allocate the Tariff Quota of the agricultural products.

### **Purposes and coverage of licensing**

2. Agricultural Products Subject to a Tariff Rate Quota Regime: 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, dried longans and longan pulp, and rice.

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 cannot 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:

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).

#### **Documentational and other requirements for application for licence**

10. A sample application form is attached (See ANNEX II-(1)(2)<sup>2</sup>).
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:

Agriculture products under the method of distribution in advance, provided that the quota is allocated once a year, the certificate of tariff quota is valid for products arriving on or before 1 September of that year, and can be extended to cover products arriving on or before 31 December, if necessary.
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. 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.
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