

WTO 수입허가절차에 관한 협정 해설

1. 개요

2. 협정문 해설

Article 1 General Provisions (1/3)

1. import licensing is ..행정절차 used for the operation of import licensing regimes
 - requiring the submission of an application or other documentation
 - as a prior condition for importation
2. Members shall ensure that 행정절차 are in conformity with GATT, this Agreement,
 - with a view to preventing trade distortions that may arise from an inappropriate operation of those procedures,
 - taking into account the economic development purposes, financial & trade needs of 개도국
3. I.L procedures shall be neutral in application and
administered in a fair and equitable manner.

Article 1 General Provisions (2/3)

4. (a) The rules and all information concerning 신청서 제출 절차,
including eligibility of 신청자,
접수 관청,
수입허가 대상 품목 목록

shall be published,

- in such a manner as to enable 타국정부/traders to become acquainted with
Such publication shall take place 발효 21일전, 어떤 경우도 발효 후 공표 금지
허가 절차, 목록의 exception, derogations or changes shall be published in the same
manner and same time periods

(b) opportunity to comment & discuss shall be provided,
give due consideration to these comments and results of discussion.

5. Application forms shall be 최대한 simple

허가 신청시 I.L 제도 운영에 필수적인 문서 및 정보 요청 가능

Article 1 General Provisions (3/3)

6. Application procedures shall be 최대한 simple
..shall be allowed a reasonable period for 신청서 제출
 - at least 21 days, 제출 서류 보안을 위한 연장 가능
 - 신청서 제출 위해 have to approach only one administrative body
 - 복수 관청 방문 불가피시, not more than three
7. No application shall be refused for minor errors
위계/중과실 없는 omission or mistake 에 대한 단순 경고 이상의 처벌 불가
8. Licensed imports shall not be refused for minor variations in value, quantity or weight occurring during shipment,
 - differences incidental to bulk loading and
 - other minor differences consistent with normal commercial practice.
9. 외환 to pay for licensed imports shall be available to licence holders
 - on the same basis as to importers of goods not requiring import licences.

Article 2 Automatic Import Licensing

1. ..defined as I.L where approval is granted in all cases
2. 1조1~11항 및 아래 사항 적용:
 - (a) .. no restricting effects on imports subject to automatic licensing.
.. shall be deemed to have trade-restricting effects unless,;
 - (i) 자동 허가 대상 품목 수입 관련 요건 충족자 누구나 equally eligible to apply and to obtain;
 - (ii) 해당 상품 통관 절차전 아무 근무일 신청 가능;
 - (iii) when submitted in appropriate and complete form, approved immediately, 최대 10일 이내;
 - (b) .. recognize that A.I.L may be necessary whenever other appropriate procedures are not available
A.I.L may be maintained as long as 도입해야 했던 상황 prevail and
as long as its 행정적 목적 달성불가 in a more appropriate way.

Article 3 Non-Automatic Import Licensing (1/3)

1. 1조1~11항 + The following shall apply

NIL ..defined as I.L not falling within the definition in 2조1

2. ..shall not have trade-restrictive or -distortive effects, additional to those caused by the imposition of the restriction.

...shall correspond in scope and duration to the measure NIL are used to implement,

...shall be no more administratively burdensome than absolutely necessary

3. 수량 제한 이행외 목적을 위한 수입 허가의 경우

- shall publish sufficient information ..to know the basis of granting/allocating licences.

4. exceptions or derogations 요청 가능시, shall include this fact in the information published

- as well as information on how to make such a request and,

an indication of the circumstances under which requests would be considered.

Article 3 Non-Automatic Import Licensing (2/3)

5. (a) 해당 상품 교역의 이해당사국 요청시 , 아래 정보 제공 의무:

- (i) the administration of the restrictions;
- (ii) the import licences granted over a recent period;
- (iii) the distribution of such licences among supplying countries;
- (iv) import statistics (i.e. value and/or volume)

(b) 수입허가로 쿼타 운영국 shall publish

- the overall amount of quotas to be applied,
- the opening and closing dates of quotas, and
- any change thereof,
- within 21일전, 발효후 공표 불가 and
- in such a manner as to enable 타국정부/traders to become acquainted with;

(c) 배정 쿼타에 제한 부과할 경우,

- shall promptly inform 해당 상품 공급에 이해가 있는 모든 국가에게 기 시행중 공급 국가별 쿼타 배분 상황
- shall publish this information (b)와 동일 방식으로

(d) 쿼타 조기 개시 필요한 경우, 수입 허가 신청 관련 정보(1.4조)

- should be published within the time-periods specified 1.4조

in such a manner as to enable 타국정부/traders to become acquainted with;

Article 3 Non-Automatic Import Licensing (3/3)

- (e) 수입국 요건 충족자 shall be equally eligible to apply and
to be considered for a licence.
If application not approved, 불승인 사유 제공 및 재심 청구권 부여
- (f) the period for processing applications shall not be longer than 30 days-선입선출 방식 적용시,
no longer than 60 days-동시 심사 방식 적용시
- (g) 수입 허가 유효기간 shall be of reasonable duration,
원거리에서 신속 수입 필요 상황 방해 금지
- (h) 쿼타 운영시, Members shall not prevent 기발행 허가에 의한 수입,
shall not discourage the full utilization of quotas;
- (i) .. shall take into account the desirability of issuing licences for products in economic quantities;
- (j) 허가 배분시,.. should consider the import performance of the applicant
- (k) 공급국에 사전 할당되지 않은 방식으로 쿼타 운영시, licence holders shall be free to choose the
sources of imports
사전 할당시, the licence shall clearly stipulate the country or countries;

Article 4~8 수입허가위원회 설치, 통보, 분쟁 해결 등 행정 조항