

TRANSITIONAL REVIEW MECHANISM¹

Communication from the People's Republic of China

The following communication, dated 16 September 2005, is being circulated at the request of the Delegation of the People's Republic of China.

Reference is made to the Committee on Import Licensing meeting scheduled to be held on 28 September 2005 (WTO/AIR/2657), of which the Transitional Review under Paragraph 18 of the Protocol on the Accession of the People's Republic of China is on the agenda. For the purpose of this Review, I hereby, on instructions from my authorities, submit relevant information as provided in Paragraph IV:3 of Annex 1A of the Protocol on the Accession of the People's Republic of China.

Information required by Annex 1A of the Protocol on the Accession of China

IV. POLICIES AFFECTING TRADE IN GOODS

3. Import licensing

(a) implementation of the provisions of the Agreement on Import Licensing Procedures and the WTO Agreement applying the measures set out in Section 8 of the Protocol including provision of the time taken to grant an import licence

Further to the information already provided to the Committee on Import Licensing pursuant to Annex 1A of the Protocol on the Accession of China in the previous three years, China would like to submit the following information to the Committee for 2005, while situation remaining the same as 2002, 2003 and 2004 will not be repeated.

On 10 December 2004, the Ministry of Commerce promulgated *MOFCOM Announcement No.95 of 2004*, to abolish import quota license administration on the last batch of products, that is, the 35 machinery and electrical products as of 1 January 2005. Thus, China had faithfully implemented its commitment upon accession concerning elimination of non-tariff measures by fully abolishing all the import quantitative restrictions by 1 January 2005.

¹ Pursuant to Paragraph 18 of the Protocol on the Accession of the People's Republic of China (WT/L/432).

For the purpose of administering import and export trading regime in a more transparent, fair, non-discriminatory and efficient manner after the elimination of import quantitative restrictions, pursuant to *Regulations on Administration of Import and Export of Goods*, MOFCOM respectively promulgated, on 10 November 2004, *MOFCOM and GCA Joint Decree No. 26* which revised the *Measures on Administration of Automatic Import Licensing for Goods*, and on 10 December 2004, *MOFCOM Decree No. 27 of 2004* which revised the *Measures on Administration of Import Licenses for Goods*. In accordance with these two Ministry Decrees, MOFCOM will continue to publish yearly, in form of Ministry Announcement, *the Catalogue of Goods Subject to Import License Administration* and *the Catalogue of Goods Subject to Automatic Import Licensing Administration*, which list all the commodities subject to import licensing procedures except for those under Tariff Rate Quota (TRQ) administration. The regulations, decrees and announcements mentioned above demonstrate that China has been implementing faithfully its accession commitments with respect to import licensing as well as the elimination of non-tariff measures.

As for commodities under TRQ administration, there have been no changes since last year.

Hereinbefore, the context gives a brief description of changes to the legislation framework on administration of import licensing procedures since 2004 in China. All the laws, regulations, decrees and announcements mentioned above can be found in *China Foreign Trade and Economic Cooperation Gazette* and can also be obtained at the website of MOFCOM (WWW.MOFCOM.GOV.CN). We will update the information relating to China's import licensing procedures through notification obligations under the Agreement on Import Licensing Procedures and provision of Annex 1A information required by the Protocol on the Accession of the People's Republic of China to the WTO.
