

Regulations relating to a safeguard mechanism for imports of agricultural products from developing countries to which Norway's Generalised System of Preferences (GSP) scheme applies

Implementing legislation: adopted by Royal Decree of 7 March 2008 under the introductory provisions of the Customs Tariff. Submitted by the Ministry of Agriculture and Food.

Additional implementing legislation: Act of 21 December 2007 No. 119 on Customs Duties and Movement of Goods (Customs Act), section 8-3. Decision of 21. December 2007 No. 1708 on delegation of authority.

Amendments: Amended by regulations of 7 March 2008 No. 1681, 15 January 2014 No. 27, 3 September 2014 No. 1144.

Corrections: 1 January 2009 (implementing legislation), 15 September 2009 (implementing legislation).

Section 1. Purpose

The purpose of these regulations is to avoid domestic market disturbances caused by preferential tariff treatment of imports of agricultural products from developing countries to which Norway's generalised system of preferences (GSP) scheme applies, while at the same time achieving the aim of the scheme, which is to promote imports from developing countries.

Section 2. Triggering the safeguard mechanism

(1) If imports of an agricultural product that has been granted preferential tariffs under the GSP scheme creates substantial market disruption or the risk of substantial market disruption, the King may by regulations take any steps necessary to eliminate market disruption, including partly or entirely repealing preferential tariff treatment for the product in question with immediate effect.

(2) This section applies to agricultural products listed in item 1 of Annex 1 to the WTO Agreement on Agriculture.

(3) The duration of any such measures shall be limited to what is necessary to eliminate market disruption, but shall not exceed a period of one year.

(4) Any such measure shall be applicable equally to all developing countries to which the GSP scheme applies. Countries to which zero-tariff arrangements under the GSP¹ scheme apply may be exempted from such measures.

(5) If it can be documented that a consignment of products is under way on the basis of a contract concluded before safeguards were announced, it shall be exempted from the safeguards.

1 See the country list laid down by the Ministry of Foreign Affairs.

Section 3. Import permits for cereals, flour and animal feed from countries to which zero-tariff arrangements apply

(1) Duty-free access for imports of cereals, flour and animal feed from countries to which the zero-tariff arrangements under the GSP¹ scheme apply will be granted to importers who can present valid GSP import permits at the time of import.

(2) Cereals, flour and animal feed are understood to mean the products to which the appendix to these regulations applies. The Norwegian Agriculture Agency is authorised to update the appendix so that it is in accordance with the Norwegian Customs Tariff.

(3) Subject to the provisions of section 2, the Norwegian Agriculture Agency will issue a GSP import permit to any person that substantiates that they intend to import products to which this section applies. However, from the time when the Norwegian Agriculture Agency has sent a reasoned

proposal on use of the safeguard mechanism, the issuing of GSP import licences may be postponed until the King has determined whether measures to eliminate market disruption are to be implemented.

(4) A GSP import licence is issued for the quantity specified in the application for a period or periods of validity as follows:

1 August–7 November,

8 November–24 April, or

25 April–31 July.

(5) GSP import permits may not be transferred.

(6) The Norwegian Agriculture Agency may lay down requirements relating to applications for GSP import permits under this section.

0 Amended by the regulations of 3 September 2014 No. 1144.

1 See the country list laid down by the Ministry of Foreign Affairs.

Section 4. Entry into force

These regulations enter into force immediately.