

THE MINISTRY OF INDUSTRY AND TRADE

**Circular No. 23/2012/TT-BCT of August 7, 2012, on  
the application of automatic import licensing to some  
steel products**

*Pursuant to the Government's Decree No. 189/2007/ND-CP of December 27, 2007, defining the functions, tasks, powers and organizational structure of the Ministry of Industry and Trade;*

*Pursuant to the Government's Decree No. 44/2011/ND-CP of June 14, 2011, amending and supplementing Decree No. 189/2007/ND-CP, defining the functions, tasks, powers and organizational structure of the Ministry of Industry and Trade;*

*Pursuant to the Government's Decree No. 12/2006/ND-CP of January 23, 2006, detailing the Commercial Law regarding international goods sale and purchase and goods sale, purchase, processing and transit agency activities with foreign countries;*

*Pursuant to the Prime Minister's Decision No. 41/2005/QĐ-TTg of March 2, 2005, promulgating the Regulation on goods import licensing;*

*The Minister of Industry and Trade stipulates the application of automatic import licensing to some steel products, as follows:*

Chapter I

GENERAL PROVISIONS

**Article 1. Scope of regulation**

1. This Circular provides the application of automatic import licensing to import of steel products specified in Appendix 1 to this Circular.
2. Steel products imported in the following cases are not governed by this Circular but comply with current management regulations:
  - a/ Goods temporarily imported for re-export, temporarily exported for re-import, in border-gate transfer or transit;
  - b/ Non-commercial imports;
  - c/ Goods imported directly for production or processing (including those imported for assembly, repair or warranty).

**Article 2. Subjects of application**

This Circular applies to state management agencies, importers and related organizations and individuals.

## Chapter II

### GRANT AND SUBMISSION OF AUTOMATIC IMPORT LICENSES

#### **Article 3.** Grant of automatic import licenses

1. An automatic import license is granted by the Ministry of Industry and Trade to a trader in the form of certification of an import registration application of each consignment.
2. An automatic import license is valid for 30 days from the date of certification by the Ministry of Industry and Trade.

#### **Article 4.** Automatic import licensing agencies

1. Automatic import licensing agencies (below referred to as licensing agencies) are regional Import and Export Management Divisions under the Ministry of Industry and Trade, including:

- Import and Export Management Division of Hanoi. Address: 25 Ngo Quyen street, Hoan Kiem district, Hanoi; and
- Import and Export Management Division of Ho Chi Minh City. Address: 08 Nam Ky Khoi Nghia street, District 1, Ho Chi Minh City.

2. Heads and deputy heads of regional Import and Export Management Divisions of Hanoi and Ho Chi Minh City shall sign to certify automatic import registration applications and use stamps of their divisions.

#### **Article 5.** Responsibilities of automatic import license applicants

Automatic import license applicants shall:

1. Register trader dossiers with licensing agencies in accordance with Article 7;
2. Submit dossiers of application for automatic import licenses to licensing agencies in accordance with Article 8 by post to addresses specified in Article 4;
3. Take responsibility before law for the accuracy and truthfulness of declarations related to the application for automatic import licenses.

#### **Article 6.** Responsibilities of automatic import licensing agencies

A licensing agency shall:

1. Guide automatic import license applicants when requested;
2. Receive and examine trader dossiers and dossiers of application for automatic import licenses;
3. Grant automatic import licenses within the time limit specified in Article 10.

## **Article 7. Registration of trader dossiers**

1. An automatic import license applicant shall register a trader dossier with a licensing agency at the first time of automatic import license application and is only considered for licensing after registering such trader dossier. A trader dossier comprises:

a/ Registration of the signature specimen of a competent person or person authorized to sign the application for automatic import license and seal of the trader (*Appendix 2 (not translated)*);

b/ One certified copy of the business registration certificate or investment certificate or business license;

c/ One certified copy of the tax identification number registration certificate.

2. All changes in trader dossiers must be notified in writing to licensing agencies.

## **Article 8. Dossiers of application for automatic import licenses**

1. A dossier of application for an automatic import license comprises:

a/ Two copies of the application for automatic import license, made according to the form provided in Appendix 3 to this Circular (*not translated*);

b/ One certified copy of the import contract;

c/ One certified copy of the commercial invoice;

d/ One certified copy of L/C or payment document or via-bank payment certificate (together with the written request for certification of via-bank payment), made according to the form provided in Appendix 4(A) or 4(B) (*not translated*);

e/ One certified copy of the bill of lading or transportation document of the consignment;

2. In case goods are imported through land border gates or from non-tariff zones, traders shall submit reports on importation under previously certified import registration applications, made according to the form provided in Appendix 5 (*not translated*), instead of bills of lading or transportation documents.

## **Article 9. Automatic import licensing**

1. An automatic import license is granted within seven (7) working days after a licensing agency receives a complete and valid dossier from a trader in accordance with Article 8.

2. In case a trader applies for an automatic import license via the computer network in accordance with Article 11, the automatic import license shall be granted within 5 working days after the licensing agency receives a complete and valid dossier from the trader in accordance with Article 8.

**Article 10. Re-grant, modification or revocation of automatic import licenses**

1. In case an automatic import license is lost or damaged, the trader shall submit to the Ministry of Industry and Trade a written request for re-grant together with the application. The Ministry of Industry and Trade shall consider re-granting the automatic import license in case the granted license remains valid. For an invalid license, the trader shall submit a written request for revocation and a dossier of application for grant of a new automatic import license.

An automatic import license is re-granted within 5 working days after the Ministry of Industry and Trade receives a complete and valid dossier of application for re-grant.

2. In case one or some contents of an automatic import license certified by the Ministry of Industry and Trade need to be modified, the trader shall submit to the Ministry of Industry and Trade a written request for modification, together with related documents and new application and return the certified original license;

A modified automatic import license is granted within 5 working days after the Ministry of Industry and Trade receives a complete and valid dossier for modification.

3. In case an automatic import license is granted improperly, the Ministry of Industry and Trade shall revoke the license and notify such to related agencies.

**Article 11. Application for automatic import licenses via the computer network**

Traders may choose to apply automatic import licenses via the computer network before submitting dossiers according to the following procedures:

1. Traders shall declare information on trader dossiers via the computer network using a software system set by the Ministry of Industry and Trade and send trader dossiers to places for first time automatic import license application. A trader dossier comprises:

a/ Registration of the signature specimen of the competent person or a person authorized to sign the application for automatic import licenses and the seal of the trader (Appendix 2) *(not translated)*;

b/ One certified copy of the business registration certificate or investment certificate or business license;

c/ One certified copy of the tax identification number registration certificate.

2. After being granted an account number to access the software system, the trader shall declare information on the dossier of application for automatic import licenses via the software system set by the Ministry of Industry and Trade. The automatic import licensing is conducted online on the software system.

3. The Ministry of Industry and Trade shall verify information via the network interface and inform trader of the verification result within 1 day.

4. After receiving the Ministry of Industry and Trade's acceptance of complete and valid declarations of dossiers via the computer network, traders shall submit dossier sets to licensing agencies in accordance with Article 8.

5. Traders shall install computers with network connection and peripheral devices under regulations of the Ministry of Industry and Trade before applying for automatic import licenses via the computer network.

**Article 12.** Submission of automatic import licenses upon customs clearance

Upon carrying out import procedures, a trader shall submit to the customs office its the automatic import license with the Ministry of Industry and Trade's certification or present the license together with a conciliation bill (for imports with temporal certification) together with the import dossier set in accordance with current regulation and observe current regulations on good clearance border gates, import item policies, goods subject to specialized management and goods subject to conditional trading.

### Chapter III

#### ORGANIZATION OF IMPLEMENTATION

**Article 13.** Effect

This Circular takes effect on September 20, 2012.

**Article 14.** Implementation responsibility

Any problem arising in the course of implementation should be reported in writing to the Ministry of Industry and Trade for prompt settlement.-

For the Minister of Industry and Trade

*Deputy Minister*

*NGUYEN THANH BIEN*

## Appendix 1

### LIST OF STEEL PRODUCTS SUBJECT TO AUTOMATIC IMPORT LICENSING

*(To the Ministry of Industry and Trade's Circular No. 23/2012/TT-BCT of August 7, 2012, on the application of automatic import licensing to some steel products)*

Code			Description
			<b>Chapter 72</b>
			<b>Iron and steel</b>
<b>7209</b>			<b>Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced), not clad, plated or coated</b>
			- In coils, not further worked than cold-rolled (cold-reduced):
7209	15	00	-- Of a thickness of 3 mm or more
7209	16	00	-- Of a thickness exceeding 1 mm but less than 3 mm
7209	17	00	-- Of a thickness of 0.5 mm or more but not exceeding 1 mm
7209	18		-- Of a thickness of less than 0.5 mm:
			--- Other
7209	18	91	---- Containing by weight less than 0.6% of carbon and of a thickness of 0.17 mm or less
7209	18	99	---- Other
			- Not in coils, not further worked than cold-rolled (cold-reduced):
7209	25	00	-- Of a thickness of 3 mm or more
7209	26	00	-- Of a thickness exceeding 1 mm but less than 3 mm
7209	27	00	-- Of a thickness of 0.5 mm or more but not exceeding 1 mm
7209	28		--- Of a thickness of less than 0.5 mm:
7209	28	10	---- Containing by weight less than 0.6% of carbon and of a thickness of 0.17 mm or less
7209	28	90	--- Other
7209	90		- Other:
7209	90	10	-- Corrugated
7209	90	90	-- Other

Code			Description
7210			<b>Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated</b>
			- Plated or coated with tin:
7210	11		-- Of a thickness of 0.5 mm or more:
7210	11	10	--- Containing by weight 0.6 % or more of carbon
7210	11	90	--- Other
7210	12		-- Of a thickness of less than 0.5 mm:
7210	12	10	--- Containing by weight 0.6 % or more of carbon
7210	12	90	--- Other
			- Otherwise plated or coated with zinc:
7210	41		-- Corrugated:
			--- Containing by weight less than 0.6% of carbon:
7210	41	11	--- Of a thickness not exceeding 1.2 mm
7210	41	12	---- Of a thickness exceeding 1.2 mm but not exceeding 1.5 mm
7210	41	19	---- Other
7210	41	91	---- Of a thickness not exceeding 1.2 mm
7210	41	99	---- Other
7210	49		-- Other:
			--- Containing by weight less than 0.6% of carbon
7210	49	11	---- Coated with zinc by the iron-zinc alloyed coating method, containing by weight less than 0.04% of carbon and of a thickness not exceeding 1.2 mm
7210	49	12	---- Other, of a thickness not exceeding 1.2 mm
7210	49	13	---- Of a thickness exceeding 1.2 mm but not exceeding 1.5 mm
7210	49	19	---- Other
			--- Other
7210	49	91	---- Of a thickness not exceeding 1.2 mm
7210	49	99	---- Other
7210	61		-- Plated or coated with aluminium-zinc alloys:
			--- Containing by weight less than 0.6% of carbon:
7210	61	11	---- Of a thickness not exceeding 1.2 mm
7210	61	12	---- Of a thickness exceeding 1.2 mm but not exceeding 1.5 mm

Code			Description
7210	61	19	---- Other
			-- Other
7210	61	91	---- Of a thickness not exceeding 1.2 mm
7210	61	99	---- Other
7210	69		-- Other:
			--- Containing by weight less than 0.6% of carbon:
7210	69	11	---- Of a thickness not exceeding 1.2 mm
7210	69	12	---- Of a thickness exceeding 1.2 mm but not exceeding 1.5 mm
7210	69	19	---- Other
			--- Other
7210	69	91	---- Of a thickness not exceeding 1.2 mm
7210	69	99	---- Other
<b>7211</b>			<b>Flat-rolled products of iron or non-alloy steel, of a width of less than 600 mm, not clad, plated or coated</b>
			- Not further worked than hot-rolled:
7211	13		-- Rolled on four faces or in a closed box pass, of a width exceeding 150 mm and a thickness of not less than 4 mm, not in coils and without patterns in relief:
7211	13	10	--- Hoop and strip, of a width exceeding 150 mm but not exceeding 400 mm
7211	13	90	--- Other
7211	14		-- Other, of a thickness of 4.75 mm or more:
			--- Of a thickness of 4.75 mm or more but not exceeding 10 mm:
7211	14	11	---- Hoop and strip, of a width not exceeding 400 mm
7211	14	12	---- Corrugated, containing by weight less than 0.6% of carbon
7211	14	19	---- Other
			--- Of a thickness more than 10 mm:
7211	14	21	---- Hoop and strip, of a width not exceeding 400 mm
7211	14	22	---- Corrugated, containing by weight less than 0.6% of carbon
7211	14	29	---- Other
7211	19		-- Other:
			--- Of a thickness of 2 mm or more but less than 4.75 mm:
7211	19	11	---- Hoop and strip, of a width not exceeding 400 mm

Code			Description
7211	19	12	---- Corrugated, containing by weight less than 0.6% of carbon
7211	19	19	---- Other
			- - - Of a thickness of less than 2 mm:
7211	19	21	---- Hoop and strip, of a width not exceeding 400 mm
7211	19	22	---- Corrugated, containing by weight less than 0.6% of carbon
7211	19	23	---- Other, of a thickness of 0.17 mm or less
7211	19	29	---- Other
			- Not further worked than cold-rolled (cold-reduced):
7211	23		- - Containing by weight less than 0.25% of carbon:
7211	23	10	- - - Corrugated
7211	23	20	- - - Hoop and strip, of a width not exceeding 400 mm
7211	23	30	- - - Other, of a thickness of 0.17 mm or less
7211	23	90	- - - Other
7211	29		- - Other:
7211	29	10	- - - Corrugated
7211	29	20	- - - Hoop and strip, of a width not exceeding 400 mm
7211	29	30	- - - Other, of a thickness of 0.17 mm or less
7211	29	90	- - - Other
7211	90		- - Other:
7211	90	10	- - Hoop and strip, of a width not exceeding 400 mm
7211	90	30	- - - Other, of a thickness of 0.17 mm or less
7211	90	90	- - - Other
<b>7212</b>			<b>Flat-rolled products of iron or non-alloy steel, of a width of less than 600 mm, clad, plated or coated</b>
7212	30		- Otherwise plated or coated with zinc:
7212	30	10	- - Hoop and strip, of a width not exceeding 400 mm
7212	30	20	- - Other, containing by weight less than 0.6% of carbon and of a thickness of 1.5 mm or less
<b>7213</b>			<b>Bars and rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel</b>
7213	91		- - Of circular cross-section measuring less than 14 mm in diameter:
7213	91	20	- - - Of a kind used for concrete reinforcement (rebars)
7213	99		- - Other:

Code			Description
7213	99	20	- - - Of a kind used for concrete reinforcement (rebars)
<b>7214</b>			<b>Other bars and rods of iron or non-alloy steel, not further worked than forged, hot-rolled, hot-drawn or hot-extracted, but including those twisted after rolling</b>
7214	20		- Containing indentations, ribs, grooves or other deformations produced during the rolling process or twisted after rolling:
7214	20	31	- - - - Of a kind used for concrete reinforcement (rebars)
7214	20	41	- - - - Of a kind used for concrete reinforcement (rebars)
7214	20	51	- - - - Of a kind used for concrete reinforcement (rebars)
7214	20	61	- - - - Of a kind used for concrete reinforcement (rebars)
<b>7215</b>			<b>Other bars and rods of iron or non-alloy steel</b>
7215	50		- Other, not further worked than cold-formed or cold-finished:
7215	50	91	- - - Of a kind used for concrete reinforcement (rebars)
7215	90		- Other:
7215	90	10	- - Of a kind used for concrete reinforcement (rebars)
<b>7219</b>			<b>Flat-rolled products of stainless steel, of a width of 600 mm or more</b>
7219	33	00	- - Of a thickness exceeding 1 mm but less than 3 mm
7219	34	00	- - Of a thickness of 0.5 mm or more but not exceeding 1 mm
7219	35	00	- - Of a thickness of less than 0.5 mm
<b>7220</b>			<b>Flat-rolled products of stainless steel, of a width of less than 600 mm</b>
7220	20		- Not further worked than cold-rolled (cold-reduced):
7220	20	10	- - Hoop and strip, of a width not exceeding 400 mm
7220	20	90	- - Other
			<b>Chapter 73</b> <b>Articles of iron or steel</b>
<b>7306</b>			<b>Other tubes, pipes and hollow profiles (for example, open seam or welded, riveted or similarly closed), of iron or steel</b>
7306	30		- Other, welded, of circular cross-section, of iron or non-alloy steel:
7306	30	10	- - Boiler tubes
7306	30	20	- - Copper-plated, fluororesin-coated or zinc-chromated steel tubes with an external diameter not exceeding 15 mm

Code			Description
7306	30	30	- - Pipe of a kind used to make sheath pipe (heater pipe) for heating elements of electric flat irons or rice cookers, with an external diameter not exceeding 12 mm
7306	30	40	- - High-pressure pipe
7306	30	90	- - Other
7306	90		- Other
7306	90	10	- - Copper brazed pipes and tubes
7306	90	90	- - Other

