

INFOCARD ELANBiz

Procedures to Import Goods in Argentina¹

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Sector Description

The following is a brief description of the existing regulations on procedures to import goods and their potential impact on European exporters. It has been prepared as a general orientation and not as an expert document. For specific issues regarding such regulations, it is recommended to consult the bilateral chambers or trade offices of EU countries that operate in Argentina, which are listed in www.elanbiz.org. These institutions will be able to provide specific answers or to suggest contacting specialized associations or consultancy firms in Argentina. The EU provides information on the Market Access conditions in the different countries in its "[Market Access Database](#)".

Background: Import Procedures

Customs Regimes

The Argentine Customs Code establishes that goods shall be imported under the following two clearances regimes:

(i) **Definitive Clearance:** under this regime, goods are imported for consumption or home use, and entered into free circulation in the customs territory of Argentina, upon the payment of any import duties and taxes chargeable and the accomplishment of all the necessary customs formalities. Goods imported under this regime can stay indefinitely in the customs territory. Customs duties and import restrictions only apply to goods imported under the definitive regime.

(ii) **Suspensive Clearance:** under this regime imported goods are not released for free circulation because either (a) they are intended to be re-exported in a short term, (b) they are only in transit to a third destination, or (c) they are intended to be stored in the customs primary area. However, goods imported under the suspensive clearance regime are not allowed to stay in the customs territory indefinitely and they must be either re-exported or imported for consumption. Customs duties and import restrictions do not apply to goods imported under the suspensive regime.

¹ The information provided in this document is of a general nature only. For more detailed information, events and commercial trade offers, as well as commercial business contacts, please contact the Commercial Offices of the Member States Embassies, the European trade organizations and the bilateral chambers of commerce.



Import Licenses for Definitive Clearance

IMPORT LICENSING REGIME: [Resolution No. 523/2017](#) of the Secretariat of Commerce, dated 5 July 2017, established the applicable regime of import licensing for goods included in all the tariff positions of the Common Nomenclature of MERCOSUR (“NCM”) imported under the definitive clearance regime. The import licensing system established two types of import licenses: (i) Automatic Import Licenses (“ALs”), which apply to all goods that are imported for consumption; and (ii) Non-Automatic Licenses (“NALs”), which apply to a limited scope of NCM tariff lines, which are currently listed in Annexes II-XIV of Resolution No. 523/217.

In order to apply for licenses, importers must complete the information requested in the SIMI (see below) and provide information about the products to be imported (e.g. information of the importer, description of the imported goods, quantities, prices, brand, model).

Additionally, importers should be registered before the “RUMP” (Ministry of Production and Labor Unique Register), complete the information requested in the SIMI and submit the information required in the relevant Annex of Resolution No. 523/17.

Furthermore, in the case of NALs, the authority (Under Secretariat of Policy and Trade Management) is entitled to (i) require additional information or documentation from the importer, or request for clarifications that it considers necessary, and (ii) request the intervention of the technical bodies. The additional information shall be submitted within a period of 10 business days. Import licensings have a validity period of 90 calendar days counted as from the date of their approval. If there exist duly substantiated reasons, importers may request an extension, up to 15 days before the expiration date.

It is important to highlight that [Resolution No. 1/2020](#) has added 279 new tariff positions to the scope of products subject to NALs². As a result, it is estimated that the amount of tariff positions for which it is necessary to request for a NAL has increased from 12% to 15% of the total amount of tariff positions included in the Mercosur’s Common Nomenclator. Among all products that have been added to the list of goods affected by such restrictions, we should highlight motorcycles; home appliances; wooden products; fungicides, herbicides and plant-growth regulators; tyres of a kind used for bicycles, motorcycles, buses and lorries and agricultural machines or vehicles; cotton, single cotton yarn; wires, tubes, pipes, flat rolled products, bars and rods, among others.

SIMI: [Joint General Resolution No. 4185-E/2018](#) of the AFIP (Argentine tax authority) and the Secretariat of Commerce, dated 5 January 2018 and amended by Joint Resolution No. 4213, established the “Integral System of Import Monitoring” (in Spanish, “*Sistema Integral de Monitoreo de Importaciones*” or “**SIMI**”), which is an informatic system intended for all operators that perform definitive imports.

It has the following two functions: (i) via the SIMI, importers must report to Customs and the Secretariat of Commerce every import subject to the definitive clearance regime, submit information about the

² In addition, Resolution No. 1/2020 has introduced the following amendments: (i) The margin of tolerance between the FOB unit values or the quantities informed in the non-automatic import license request and the values actually imported was reduced from 7 to 5%; and (ii) The validity period of the NALs was reduced from 180 to 90 days as from the date of their approval.



imported products, and upload all required certifications or documents; and (ii) in the framework of SIMI, Customs and all agencies involved in verifying the compliance with import requirements must approve or reject the imports reported. One of those agencies is the Under Secretariat of Policy and Trade Management, which is in charge of approving or rejecting NALs. The stated objectives of SIMI are to facilitate the monitoring of imports and to ensure compliance with the basic safety regulations of imported products.

According to SIMI, the following procedure applies for reporting an import operation and requesting its approval: (i) importers must submit all the information regarding the merchandise to be imported (this is called “SIMI declaration”), (ii) the system assigns a number to each SIMI declaration (SIMI number), and (iii) if importers are able to prove the compliance with all import requirements, including the approval of import licenses, the import will be authorised.

SIMI declarations might have one of the following status:

“Officialised”: the SIMI declaration was submitted or uploaded to the SIMI system, but has not been approved yet by all the intervening agencies;

“Exit”: the SIMI declaration has been approved by all intervening agencies, which checked the compliance with all import requirements;

“Observed”: the SIMI declaration has been partially or totally observed by some of the intervening bodies;

“Cancelled”: the SIMI declaration has been totally used (the goods were imported);

“Annulled”: the SIMI declaration refers to goods that have not been imported, or includes false or inaccurate information.

The Resolution as amended provides that SIMI declarations may be “Officialised” (submitted) prior to the arriving of the merchandise in the customs territory, in order to carry out the control tasks in advance. At the time of applying for the definitive regime, importers must indicate the number of the SIMI declaration with the status of “Exit” (authorised).

The governmental bodies that may intervene during the approval of the SIMI declaration include AFIP, General Directorate of Customs, ANMAT (Food and Medicine Enforcement Authority), INAL (Foods National Institute), SENASA (Agrifood Sanitary Authority), and the Secretariat of Trade, among others. AFIP performs an analysis based on the risk levels and the economic and financial capacity of the importers to face the operations. The intervening agencies shall adjudicate within 10 days from the date of the registration of the SIMI declaration, without prejudice to the fact that this term can be extended in specific situations.

Impact on EU operators

According to the OECD, the cost of a two-month delay in licensing (and related warehousing expenses) is equivalent to an additional import duty of 4% to 6%, while additional costs such as the penalties imposed by customers for failure to meet delivery deadlines can reach up to 10% of the price paid for



the good. UNCTAD has suggested that transaction costs can account for 2-3% of the nationalization cost of goods.

During the first quarter of 2018, total imports subject to NALs reached USD 798 million, which represents an increase of 29.4% in comparison with the previous year. However, it is estimated, total imports of products subject to NALs have significantly decreased since the second half of 2018 as a result of the macroeconomic situation.

Links of Interest

[Government's website](#)

[CIVUCE](#)

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