



Doing Business in Bangladesh: 2014 Country

Commercial Guide for U.S. Companies

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Chapter 1: Doing Business In Bangladesh

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Market Overview

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- Bangladesh, a densely-populated country of 155 million people in an area the size of Iowa, has registered steady annual GDP growth of 5-7 percent since 1990 driven by a booming garment industry and rising remittance flows.
- Thanks to a stable macroeconomic environment and dynamic private sector the IMF estimates that Bangladesh's GDP in 2013 rose to \$141 billion.
- The IMF projects real GDP growth to increase to 6.25 percent in Fiscal Year (FY) 2015 (July 2014 – June 2015).
- Led by cotton, aircraft, soybeans, and gas turbines, U.S. exports to Bangladesh reached \$712 million in 2013, up from \$502 million in 2012. U.S. exports in the first quarter of 2014 reached \$545 million.
- Nearly ten million Bangladeshis, concentrated mainly in Dhaka and Chittagong, have annual incomes well in excess of \$10,000, offering a sizable market for a wide range of goods and services.
- Bangladesh's garment industry currently produces roughly 80 percent of the country's exports. Garment exports have expanded steadily since 1990 despite chronic energy shortages, infrastructure constraints, occasional labor unrest and periods of weakening global demand.
- With a workforce growing by roughly 2 million per year and one of the world's lowest wage rates, Bangladesh has an opportunity to replicate its success in ready-made garment production by developing other labor-intensive industries.
- The rapid growth of Bangladesh's garment industry and increasing investment in energy sector projects have created growing opportunities for U.S. exports of machinery and raw materials.
- Bangladesh is one of the top 10 remittance earning countries in the world and remittance growth remained buoyant through the world economic downturn, though remittances peaked in the FY 2013 (July 2012-June 2013) at \$14.4 billion. Remittances in FY 2014 decreased to \$10.4 billion.

Market Challenges

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- Despite a relatively good economic growth performance in the last decade, investment climate constraints, notably deficiencies in energy and transportation infrastructure, have prevented Bangladesh from achieving higher growth.
- Election year political unrest including frequent disruptive general strikes have heightened political uncertainty and dampened investment in 2013, but projections of continued 6% GDP growth show the resilience of Bangladesh's economy in weathering these short-term challenges.
- A series of garment industry accidents including the death of 1,127 workers in the collapse of Rana Plaza in April 2013 have highlighted the urgent need for Bangladesh to improve worker rights and develop durable mechanisms for ensuring workplace safety in order to preserve and expand its existing markets.
- Economic weaknesses include an undeveloped and undercapitalized financial sector, an inefficient and chronically loss-making public sector, and a decision-averse bureaucracy that often resists measures to improve the investment climate.
- While Bangladesh made some progress in reducing corruption during the last decade, corruption is still widely perceived to be endemic at all levels of society.
- Shortages of land, gas, and power are also major impediments to investment. Bangladesh's long-term energy security could benefit from domestic gas prices that more closely match international gas prices. Development of infrastructure to allow Bangladesh to access LNG imports would also support economic development.

Market Opportunities

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The leading commercial sectors for U.S. exports and investment include:

- Power Systems
- Textile Machinery/Equipment
- Oil, Gas and Mineral Exploration/Production Services
- Computers/Peripherals and Computer Software
- Architectural, Construction and Engineering Services
- Pharmaceutical Machinery/ Equipment

Leading agricultural sectors for U.S. exports include:

- Cotton
- Wheat
- Soybeans
- Animal Feed
- Dairy Products

Market Entry Strategy

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- Personal relationships are important when selling products in Bangladesh. Many

companies identify distributors or local agents to sell their products on an exclusive or non-exclusive basis. U.S. companies can evaluate potential business partners based on technical capacity, market experience and other factors. (The U.S. Trade Center at the U.S. Embassy can offer services to help identify and assess Bangladesh companies as potential business partners.)

- Many firms service Bangladesh from their regional offices in India, Singapore and other offices in South or Southeast Asia.
- As companies become more established in the market, they may choose to open a branch or subsidiary office.
- Some consumer goods companies have established manufacturing facilities in Bangladesh.
- Some companies have begun granting franchise licenses in Bangladesh, including casual theme restaurants, clothing, health spas and specialty goods.
- Successful companies adapt their products to the demands of the local marketplace. This may include smaller packaging to reduce retail pricing and marketing strategies that appeal to local consumer preferences.

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Chapter 2: Political and Economic Environment

For background information on the political and economic environment of the country, please click on the link below to the U.S. Department of State Background Notes.

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Using an Agent or Distributor

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U.S. companies may appoint a Bangladeshi firm or individual as an exclusive or nonexclusive agent or distributor. The local agent should be reputable, imaginative, active, politically astute, well connected, and technically competent. A local agent may be authorized to service industrial consumers, to bid on government tenders, to place orders or book indent orders for his own account.

Given the level of corruption that pervades Bangladesh, exporters are cautioned to screen carefully any potential agents working on their behalf. The U.S. Embassy's experience suggests that a significant proportion of local agents do not adhere to U.S. standards of business ethics. Many local agents admit to having paid bribes and using undue influence to get a contract awarded in public procurement. Although local agents routinely sign documents agreeing to comply with the Foreign Corrupt Practices Act, many of them continue to conduct under-the-table deals without the U.S. companies' knowledge or approval. Companies need to exercise caution when hiring local agents and thoroughly educate the agent about acceptable business practices. Companies also should monitor local agents' activities as closely as possible. Personal interviews are useful in discussing a business proposal with a potential agent or distributor. Close political ties with the current government do not automatically guarantee success, as new governments have delayed or re-tendered deals from their predecessors.

American firms looking for agents or distributors in Bangladesh may wish to contact a district Department of Commerce office or the U.S. Trade Center in Dhaka (ustc-dhaka@state.gov) to discuss commercial services that can assist identifying and evaluating potential business partners. These services include: the International Partner

Search (IPS) service providing a list of pre-screened companies with experience in different fields; the International Company Profile (ICP) service providing background information on a specific company, including sales and after-sales capabilities, as well as bank and trade references; and the Gold Key Service (GKS) providing full-service support to U.S. companies including U.S. Embassy briefings, scheduling of meetings with local firms and logistical support to visiting U.S. companies. Details on these services are available at: dhaka.usembassy.gov/doing_business .

Establishing an Office

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Any foreign firm with its corporate head office outside Bangladesh wishing to open a branch or liaison office must submit an application to [the Board of Investment \(BOI\)](#) where they can also confirm whether other Government approvals would be necessary depending on the nature of the investment. More details on registration forms, requirements and investment rules can be found on the BOI website: boi.gov.bd Under the provisions of the Companies Act of 1994, companies can fulfill registration requirements by filing a registration form with the [Registrar of Joint Stock Companies and Firms \(www.roc.gov.bd\)](#)

A business in Bangladesh may be organized as a sole proprietorship, a partnership, or as an incorporated or unincorporated association. Foreign investors normally form corporations in Bangladesh. Two broad categories of corporations exist: public and private. Companies of either type may be limited or unlimited. The liability of the shareholders of a limited company is restricted to the amount of share capital subscribed by them or held in their name. The liability of the shareholders of an unlimited company is not limited. A minimum of seven shareholders is required to establish a public limited company; there is no limit on the number of shareholders. A private company requires a minimum of two shareholders, and its total number of shareholders may not exceed fifty.

Franchising

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Although less common than agent or distributorship agreements, there are a growing number of franchised businesses in Bangladesh, including: Pizza Hut, Kentucky Fried Chicken, Gold's Gym, Movēnpick, Baskin Robbins, Andersen's of Denmark, Nandos, Wimpy, A&W, and Pizza Inn. There are no regulations to restrict the establishment of franchises in Bangladesh.

Direct Marketing

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While there are no laws in Bangladesh regulating or prohibiting the direct marketing model of product distribution, the Embassy is not aware of any companies using direct marketing distribution in Bangladesh.

Joint Ventures/Licensing

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Bangladeshi businesses are eager to collaborate with foreign partners, and the government encourages joint ventures. Local businessmen are particularly receptive to joint ventures in which the foreign partner provides the foreign exchange capital, equipment, technology and expertise, while the local partner provides land, building(s), labor and knowledge of the local market. The Industrial Policy of 2010 available on the

[Ministry of Industries website \(www.moind.gov.bd\)](http://www.moind.gov.bd) ensures equal treatment for local investment, joint ventures, and 100% foreign investment. According to the policy, no special permission of the government is required to set up a joint venture project, although normal commercial licensing requirements may apply.

Selling to the Government

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The government is the country's largest importer. Most government agencies, autonomous organizations, and public sector corporations import directly through public tenders, which are publicly announced or issued to registered suppliers. The principal government organizations issuing public tenders include:

- [Bangladesh Chemical Industries Corporation \(BCIC\)](#)
- [Bangladesh Oil, Gas and Mineral Corporation \(BOGMC or Petrobangla\)](#)
- [Bangladesh Power Development Board \(BPDB\)](#)
- [Bangladesh Steel & Engineering Corporation \(BSEC\)](#)
- [Bangladesh Sugar & Food Industries Corporation \(BSFIC\)](#)
- [Bangladesh Telecommunications Regulatory Commission \(BTRC\)](#)
- [Civil Aviation Authority of Bangladesh \(CAAB\)](#)
- [Dhaka Electric Supply Company Limited \(DESCO\)](#)
- [Directorate General of Defense Purchase \(DGDP\)](#)
- [Rural Electrification Board \(REB\)](#)
- [Trading Corporation of Bangladesh \(TCB\)](#)
- [Water and Sewage Authority \(WASA\)](#)

A large number of public tenders are published in the local media and posted on the Central Procurement Technical Unit (CPTU) website (www.cptu.gov.bd). The U.S. Embassy's Commercial Section monitors procurement notices and reports the significant opportunities as "Trade Leads" through the Department of Commerce. These trade leads can be found at www.export.gov/eac/trade_leads.

Notwithstanding efforts to increase transparency, the public procurement process is often highly contentious and widely perceived as subject to manipulation. Delays, reversals and retendering are quite common as competing firms often trade allegations of technical deficiencies and corruption in the tender process. While local agents can sometimes help to navigate the challenging procurement process, it is important for firms to be particularly proactive with local partners and vigilant to ensure compliance with the Foreign Corrupt Practices Act.

Distribution and Sales Channels

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The primary channels for distribution and sales of U.S. goods in Bangladesh are through resident agents, representatives and licensed distributors. A substantial share of Bangladesh's imports is purchased through tender or direct purchase by public sector corporations, autonomous bodies, and government-controlled corporations. These agencies often prefer to deal with local firms acting as exclusive agents or licensed distributors of foreign manufacturers and suppliers. In the private sector, too, businesses prefer to deal with agents to ensure after sales service and continuous supply of spare parts, and to resolve any future technical problems. Non-exclusive arrangements are common for commodities such as cotton, wheat, edible oil, chemicals, and metals,

where brand names are not as important.

Selling Factors/Techniques

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Consumer goods are marketed primarily through distributors based in Dhaka to a price-sensitive market with a gradually growing appetite for higher-priced branded goods. Suppliers of capital goods, agricultural products and raw materials for garment and other export industries frequently market their products through local agents experienced in working with government and industrial buyers. U.S. firms may also consider promoting their products/services through the annual U.S. Trade Show usually held in February in Dhaka and cosponsored by the U.S. Embassy and the [American Chamber of Commerce in Bangladesh](#).

Electronic Commerce

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Electronic commerce is very limited in Bangladesh due to the low rate of internet penetration, low per capita income levels and limited development of e-commerce services. Business-to-Business e-commerce is practiced on a limited scale in the export sector of Bangladesh and a few international and private banks offer online banking services. Due to low internet penetration and widespread availability of cell phones, government and private companies have developed diverse applications for cell phone payments. The government is developing legislation to authorize electronic payments and encourage greater e-commerce applications. In 2009, Bangladesh Central Bank introduced online payment systems facilitating fund transfers and online payment of utility bills by credit card.

According to [Bangladesh Telecommunication Regulatory Commission](#), Bangladesh now has more than 100 registered Internet Service Providers (ISPs). Bangladesh is connected to the SEA-ME-WE4 submarine fiber cable. The Government owned Bangladesh Telecommunications Company Ltd. (BTCL) is in charge of the distribution of the undersea fiber capacity. Most ISPs rely on SEA-ME-WE4 bandwidth from the submarine cable but most keep a satellite backup in case of fiber outage. Bandwidth is expensive compared to rates in the region and in developed countries. Standard consumer "broadband" (an always-on WAN connection) speeds ranges from 128 kbps to 2 mbps or more for residential and corporate users at various price levels. ISP backbone bandwidth is generally inadequate for peak demand, which can result in degraded connection speeds. Under the Digital Bangladesh initiative, the government is working to expand internet connectivity, develop a network of shared internet access points and expand e-services by government agencies.

Trade Promotion and Advertising

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Bangladesh has a small but growing advertising and market research industry. Product and trade advertisements are the most commonly used sales promotion vehicle in Bangladesh, and are carried through the range of advertising media, including newspapers, magazines, radio, television, billboards, and exhibitions. Television is widely accessible in urban and rural areas, with print media and radio targeting a more limited audience.

Bangladesh has a large and vigorous newspaper and magazine sector, with over 200 English and Bengali newspapers and magazines, including over 100 dailies. The principal English-language dailies published in Dhaka include [The Daily Star](#), [The Dhaka Tribune](#), [BDNews24](#), [The Financial Express](#), [The Independent](#) and [New Age](#). The primary Bangla dailies are [Jugantor](#), [Ittefaq](#), [Prothom Alo](#), [Janakantha](#), [Manabzamin](#), and [Naya Diganta](#).

Bangladesh has several private satellite television stations: [Channel i](#), [ATN Bangla](#), [NTV](#), [RTV](#), Bangla Vision, Boishakhi, [Channel I](#), Ekushey TV (ETV) and Islamic TV. The government-run [Bangladesh Betar](#) (Radio) offers commercial advertisements, generally in Bangla, while government-run Bangladesh Television (BTV) carries advertisements in English and Bangla. In the private sector, Bangladesh has four FM radio stations: Radio Furti, Radio Today, [Ekushey Radio](#), and ABC Radio. Broadcast hours of public and private stations vary, with some offering 24 hour coverage.

Satellite television is increasingly popular in urban areas, with most programs beamed from Hong Kong (Star TV) and India. CNN, BBC, ESPN, Cartoon Network, Discovery, National Geography, MTV and other channels from the U.S. and Europe are also available through local or regional distributors and may carry local advertising. Local cable TV companies, which have sprung up in Dhaka and Chittagong during the last three years, offer a relatively wide selection of foreign programming. The [Export Promotion Bureau](#) is the local authority that arranges trade fairs both in country and outside of the country.

Pricing

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Other than a few essential pharmaceutical products and petroleum products, the government does not impose price controls and market pricing prevails. Due to inefficiencies in the market, the price level for most products is often higher in Bangladesh than in more developed markets. VAT and excise taxes are imposed at various rates, depending on the class of goods, but are not uniformly collected from all sellers in the marketplace. Enforcement sometimes discriminates against foreign suppliers.

Sales Service/Customer Support

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Sales service and customer support are critical, particularly for private sector customers. Marketing consumer durables such as electric generators, capital machinery, and large air conditioning plants requires sound technical support for installation as well as maintenance needs. Agents of U.S. firms dealing with these products should maintain sufficient technical staff and spare parts stock to support their customers.

Protecting Your Intellectual Property

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Bangladesh has been a member of the World Intellectual Property Organization (WIPO) in Geneva since 1985. Bangladesh is a signatory of the Uruguay Round agreements, including the WTO's Agreement on Trade-Related Aspects of Intellectual Property

Rights (TRIPS). As a least-developed country, Bangladesh has been given until July 1, 2013 to provide protection for trademarks, copyrights, patents and other intellectual property under the WTO agreement, following a decision by WTO members in December 2005 in Hong Kong. The government has made incremental progress in bringing its legislative framework for IPR protection into compliance with TRIPS. Notwithstanding these efforts, the Government of Bangladesh has limited institutional capacity for IPR enforcement and, as a result, IPR infringements are common.

Protecting Your Intellectual Property in Bangladesh:

Several general principles are important for effective management of intellectual property (“IP”) rights in Bangladesh. First, it is important to have an overall strategy to protect your IP. Second, IP is protected differently in Bangladesh than in the U.S. Third, rights must be registered and enforced in Bangladesh, under local laws. Your U.S. trademark and patent registrations will not protect you in Bangladesh. There is no such thing as an “international copyright” that will automatically protect an author’s writings throughout the entire world. Protection against unauthorized use in a particular country depends, basically, on the national laws of that country. However, most countries do offer copyright protection to foreign works under certain conditions, and these conditions have been greatly simplified by international copyright treaties and conventions.

Registration of patents and trademarks is on a first-in-time, first-in-right basis, so you should consider applying for trademark and patent protection even before selling your products or services in the Bangladesh market. It is vital that companies understand that intellectual property is primarily a private right and that the US government generally cannot enforce rights for private individuals in Bangladesh. It is the responsibility of the rights' holders to register, protect, and enforce their rights where relevant, retaining their own counsel and advisors. Companies may wish to seek advice from local attorneys or IP consultants who are experts in Bangladesh law. The U.S. Commercial Service can provide a list of local lawyers upon request.

While the U.S. Government stands ready to assist, there is little we can do if the rights holders have not taken these fundamental steps necessary to securing and enforcing their IP in a timely fashion. Moreover, in many countries, rights holders who delay enforcing their rights on a mistaken belief that the USG can provide a political resolution to a legal problem may find that their rights have been eroded or abrogated due to legal doctrines such as statutes of limitations, laches, estoppel, or unreasonable delay in prosecuting a law suit. In no instance should U.S. Government advice be seen as a substitute for the obligation of a rights holder to promptly pursue its case.

It is always advisable to conduct due diligence on potential partners. Negotiate from the position of your partner and give your partner clear incentives to honor the contract. A good partner is an important ally in protecting IP rights. Consider carefully, however, whether to permit your partner to register your IP rights on your behalf. Doing so may create a risk that your partner will list itself as the IP owner and fail to transfer the rights should the partnership end. Keep an eye on your cost structure and reduce the margins (and the incentive) of would-be bad actors. Projects and sales in Bangladesh require constant attention. Work with legal counsel familiar with Bangladesh laws to create a solid contract that includes non-compete clauses, and confidentiality/non-disclosure provisions.

It is also recommended that small and medium-size companies understand the importance of working together with trade associations and organizations to support efforts to protect IP and stop counterfeiting. There are a number of these organizations, both Bangladesh or U.S.-based. These include:

- The U.S. Chamber and local American Chambers of Commerce
- National Association of Manufacturers (NAM)
- International Intellectual Property Alliance (IIPA)
- International Trademark Association (INTA)
- The Coalition Against Counterfeiting and Piracy
- International Anti-Counterfeiting Coalition (IACC)
- Pharmaceutical Research and Manufacturers of America (PhRMA)
- Biotechnology Industry Organization (BIO)
- Intellectual Property Association of Bangladesh (IPAB)

IP Resources

A wealth of information on protecting IP is freely available to U.S. rights holders. Some excellent resources for companies regarding intellectual property include the following:

- For information about patent, trademark, or copyright issues -- including enforcement issues in the US and other countries -- call the STOP! Hotline: **1-866-999-HALT** or register at www.StopFakes.gov.
- For more information about registering trademarks and patents (both in the U.S. as well as in foreign countries), contact the US Patent and Trademark Office (USPTO) at: **1-800-786-9199**.
- For more information about registering for copyright protection in the US, contact the US Copyright Office at: **1-202-707-5959**.
- For more information about how to evaluate, protect, and enforce intellectual property rights and how these rights may be important for businesses, a free online training program is available at www.stopfakes.gov.
- For US small and medium-size companies, the Department of Commerce offers a "SME IP Advisory Program" available through the American Bar Association that provides one hour of free IP legal advice for companies with concerns in Brazil, China, Egypt, India, and Russia. For details and to register, visit: http://www.abanet.org/intlaw/intlproj/iprprogram_consultation.html
- For information on obtaining and enforcing intellectual property rights and market-specific IP Toolkits visit: www.StopFakes.gov This site is linked to the USPTO website for registering trademarks and patents (both in the U.S. as well as in foreign countries), the U.S. Customs & Border Protection website to record registered trademarks and copyrighted works (to assist customs in blocking imports of IP-infringing products) and allows you to register for Webinars on protecting IP.

- The U.S. Commerce Department has positioned IP attachés in key markets around the world. You can get contact information for the IP attaché who covers Bangladesh at: kalpana.reddy@trade.gov

Due Diligence

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Traditional commercial instruments, like letters of credit, may be used to protect buyers and sellers from basic transactional risks. When considering a more extensive commercial relationship, however, U.S. businesses are advised to exercise due diligence appropriate to the relationship. To check the bona fides of a bank, agent, or customer, U.S. firms can contact one of several Bangladeshi chambers of commerce or business associations. The U.S. Embassy's Commercial Section may also be able to provide some useful information. No fee is charged for primary information about firms. For a more detailed check, the U.S. Embassy offers the International Company Profile (ICP) service. An ICP is a confidential business report providing background information on individual Bangladeshi firms. Each report includes information on product lines, value and size of business, volume of operations, business reputation, and trade references.

U.S. firms may request an ICP by contacting the U.S. Department of Commerce or the nearest Export Assistance Center in the United States or by directly contacting us at [US Trade Center - Dhaka](#).

The fee for an ICP ranges from U.S. \$ 350 to \$900 and it is prepared within 30 working days from the date of request. For more information on services, fees and modes of payment, please contact the [US Trade Center - Dhaka](#) .

Local Professional Services

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We suggest the following web links for the principal professional associations and business chambers in Bangladesh:

[American Chamber of Commerce in Bangladesh \(AmCham\)](#)
[Association for Economic and Development Studies on Bangladesh](#)
[Dhaka Chamber of Commerce and Industry \(DCCI\)](#)
[Bangladesh Chamber of Industry \(BCI\)](#)
[Federation of Bangladesh Chambers of Commerce and Industry \(FBCCI\)](#)
[Foreign Investors' Chambers of Commerce & Industry \(FICCI\)](#)
[Metropolitan Chamber of Commerce and Industry, Dhaka \(MCCI\)](#)
[The Institute of Chartered Accountants of Bangladesh](#)
[The Institute of Cost and Management Accountants of Bangladesh](#)
[Bangladesh Association of International Recruiting Agencies \(BAIRA\)](#)
[Chittagong Chamber of Commerce and Industry \(CCCI\)](#)
[International Business Forum of Bangladesh \(IBFB\)](#)
[Bangladesh Employers' Federation \(BEF\)](#)

Web Resources

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Business Chambers

[American Chamber of Commerce in Bangladesh \(AmCham\)](#)
[Bangladesh Chamber of Industry \(BCI\)](#)
[Dhaka Chamber of Commerce and Industry \(DCCI\)](#)

Federation of Bangladesh Chambers of Commerce & Industry (FBCCI)
Foreign Investors' Chambers of Commerce & Industry (FICCI)
Metropolitan Chamber of Commerce & Industry (MCCI)

Media – Electronic

ATN Bangla
Bangladesh Betar
Bangladesh Television (BTV)
Channel i TV
Ekushey Radio
NTV Bangla
RTV

Media – Print

Daily Ittefaq
Daily Janakantha
Daily Naya Diganta
Daily Prothom Alo
Daily Star
Manabzamin
Financial Express
Independent
Jugantor
Daily New Age

Associations

Association for Economic and Development Studies on Bangladesh
Center for Policy Dialogue (CPD)
Development Design Consultants Ltd. (DDC)
Bangladesh Association of International Recruiting Agencies (BAIRA)
Bangladesh Garment Manufacturers and Exporters Association (BGMEA)
Bangladesh Knitwear Manufacturers and Exporters' Association (BKMEA)
Survey Research Group of Bangladesh [SRGB]
The Institute of Chartered Accountant of Bangladesh
The Institute of Cost and Management Accountants of Bangladesh

Bangladesh Government

Bangladesh Bureau of Statistics
Bangladesh Chemical Industries Corporation (BCIC)
Bangladesh Oil, Gas and Mineral Corporation (BOGMC or Petrobangla)
Bangladesh Power Development Board (BPDB)
Bangladesh Steel & Engineering Corporation (BSEC)
Bangladesh Sugar & Food Industries Corporation (BSFIC)
Board of Investment -Bangladesh
Export Promotion Bureau
Industrial Policy of 2005
Registrar of Joint Stock Companies and Firms
Rural Electrification Board (REB)
Trading Corporation of Bangladesh (TCB)

[Bangladesh Bank \(Central Bank\)](#)
[Ministry of Commerce](#)
[Ministry of Labor and Employment](#)

US Government

[Department of Commerce Trade Leads](#)
[U.S. Export Assistance Center](#)
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Additional Sites

[Bangladesh Net Information Portal](#)
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Chapter 4: Leading Sectors for U.S. Export and Investment

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Power Systems

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With widespread consensus that energy shortages are Bangladesh's biggest economic constraint, the government regards efforts to expand energy supplies as a top priority. After nearly a decade of limited investment resulted in worsening power shortages by 2010, the government loosened public procurement rules for energy projects in order to expedite a wide range of short-term rental power projects and longer-term projects.

While the Government of Bangladesh has made progress in increasing generation capacity through rental power projects, supply has not kept pace with energy demand growing at 12% annually. Since 2010, the Bangladesh Power Development Board has approved 20 rental power projects to provide roughly 2,000 megawatts (MW) of additional capacity. Bangladesh currently possesses an installed capacity of roughly 10,000 megawatts (MW). With much of the installed generating base nearing the end of its useful life, frequent breakdowns reduce generation capacity by nearly 1,800 MW and gas shortages render an additional 1,500 MW idle. The Government is developing a gas pipeline to reduce gas shortages while pursuing ambitious plans to develop medium and long-term projects to develop gas-fired, dual fuel and coal power plants to double generation capacity by 2015. Financing constraints, fuel shortages and bureaucracy have historically slowed the development of energy projects and these challenges are likely to continue.

Several multilateral development banks are involved in supporting energy policy reforms and financing power plant construction. The Asia Development Bank and Islamic Development Bank have approved loans of \$300 million and \$200 million respectively for projects to upgrade several gas generation plants to more efficient turbines with higher output. Under the \$290 million Rural Electrification and Renewable Energy Development Project, the World Bank and other donors are providing technical assistance to support the distribution of solar panels in substantial areas outside the electricity grid.

Though natural gas has long served as the dominant energy source in Bangladesh, gas transmission constraints have contributed to idle generation capacity and power shortages. As a result, the government is seeking to diversify energy resources through dual fuel, nuclear, coal-fired, and renewable energy projects. Bangladesh has estimated reserves of about 14-16 trillion cubic feet (tcf), but low domestic gas prices and legal disputes have limited new investment in gas exploration. While renewable energy technologies struggle to compete with gas-fired generation and other low-cost energy sources, the government is seeking to expand renewable energy, particularly through wind power and the use of off-grid solar panels in rural areas.

Bangladesh also plans to import coal in order to fire proposed coal-fired power plants, which will be developed in coordination with India and Japan. Bangladesh has substantial high-quality coal reserves, an estimated 2 billion tons, enough to power the country for 50 years, in two adjacent fields in northwestern Bangladesh. While a Chinese firm has conducted small-scale shaft mining in one coal field, public controversy

over environmental risks and displacement of people has delayed proposals to undertake open-pit mining. The government has acknowledged that open-pit mining is the most economically viable means of developing these coal deposits and it is currently crafting a new coal policy that will govern foreign involvement in the coal sector.

Best Prospects/Services

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Generators, turbines, substations, transmission cables and power plants

Opportunities

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By 2015, Bangladesh plans to generate 11,500 MW and 20,000 MW by 2021.

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[Ministry of Power, Energy and Mineral Resources](#)

Textile machinery and equipment

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The steady growth of textile and garment industry is providing opportunities for exporters of machinery and supplies for the textile and garment industries. Bangladesh exported nearly \$21.5 billion worth of ready-made garments in 2013, almost 80% of the total export of Bangladesh, including roughly \$5 billion to the United States, the largest single export market. The European Union, Canada, Japan, and Australia are also important export markets. During the last decade, Bangladesh has increased the level of local content in its garment industry as producers have increased linkages with the textile industry and diversified into higher-value products. Most raw materials for knitwear products are now produced domestically, while a smaller but increasing share of woven materials are produced domestically.

Existing companies continue to invest in new machinery to improve efficiency and remain competitive in the market. The market for textile machinery and components is expected to grow steadily over the next several years, and U.S. suppliers of sophisticated weaving, spinning, finishing and dyeing machinery should find a ready market. New machinery from Japan, Korea, Britain, Switzerland, and Germany also competes in this market. There have been signs of increased interest in used and reconditioned equipment from the U.S., which often offers better value. Suppliers should take care to clarify expectations from Bangladeshi firms, as some buyers have complained about communication and responsiveness of U.S. suppliers of used and reconditioned equipment. Bangladeshi buyers typically prefer to see a demonstration of the machinery they intend to purchase.

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Textile machinery and equipment

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Bangladesh continues to increase production capacity to meet rapidly growing demand for knitwear and woven garment exports while expanding linkages to domestic yarn and fabric suppliers.

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[Bangladesh Garment Manufacturers and Exporters Association \(BGMEA\)](#)
[Bangladesh Knitwear Manufacturer & Exporters Association \(BKMEA\)](#)
[Bangladesh Textile Mills association \(BTMA\)](#)

Oil, Gas, and Mineral Exploration/Production Services

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While Bangladesh has substantial proven gas reserves (estimated at more than 15 trillion cubic feet), rising demand and inadequate gas transmission infrastructure have led to shortages, estimated in 2012 at roughly 500 million cubic feet per day or 20 percent of peak demand. Subsidiaries of the national petroleum company, Petrobangla and several International Oil Companies (IOCs) produce an average of 2,200 million cubic feet per day (mmcf/d), supplying roughly 80% of Bangladesh's commercial energy consumption. Chevron has expanded its production over the past five years to become the largest gas producer responsible for roughly half of total gas supply. Chevron is expanding its Bibiyana gas field to increase production by 300 mmcf/d in 2014.

Economic growth, as well as increases in the number of compressed natural gas vehicles has boosted demand for natural gas. With rising demand exceeding gas supply, Petrobangla plans to build an offshore Liquefied Natural Gas (LNG) terminal to supplement domestic gas supply. After decades with very little exploration, several agreements for offshore exploration in 2012 and 2013. Artificially low regulated gas prices have long reduced incentives for further exploration and development of gas resources, as well as international oil company interest in exploration in Bangladesh.

In 2014, the government began to take steps to increase the domestic gas price and reduce energy subsidies. In order to address gas transmission constraints, the government has taken steps to build a new pipeline and develop new gas compression stations with donor and private sector support. Chevron built the Muchai compression project that increased transmission capacity and recoverable reserves. The Asian Development Bank (ADB) is financing the construction of two additional compression projects. Petrobangla and its subsidiaries regularly publish bid notices for pipeline and facilities construction. U.S. firms have won such contracts in the past.

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Oil and gas exploration services, equipment and transmission pipes

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Companies include Chevron, Conoco-Phillips, ONGC, and state-owned Petrobangla.

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[Bangladesh Oil, Gas and Mineral Corp \(PetroBangla\)](#)
[South Asia Regional Initiative for Energy Cooperation and Development \(SARI/Energy\)](#)

Computers/Peripherals and Computer Software

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Bangladesh has a steadily growing market for computer hardware, peripherals and software, particularly mobile computing and smartphone applications. Under the Digital Bangladesh initiative, the Government of Bangladesh is expanding internet connectivity through Bangladesh while increasing the use of information technology to improve access to information and government services. As part of this effort to encourage the use of information technology, the government removed tariffs on most information technology products.

Bangladesh ranks tenth in the world in terms of mobile phones in use at roughly 114 million. As prices reduce and 3G penetration expands, Bangladesh will become an increasingly significant market for smart phones and mobile computing equipment and applications. A large number of computer and phone assemblers import components from Taiwan, China, and South Korea. Most vendors target small offices and home users. A growing number of computer training schools, including one sponsored by Microsoft, will increase skilled computer personnel. Since the introduction of internet services in 1997, a growing number of businesses are using information technology. U.S. suppliers are well-placed to access this market, given widespread consumer preference for U.S.-made information technology.

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Computer hardware, software and peripherals

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Bangladesh's mobile phone market is the tenth largest in the world, and 3G penetration means that smart phones and mobile computing are significant opportunities.

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[Bangladesh Assoc. of Software & Info Services \(BASIS\)](#)

[Bangladesh Computer Samity](#)

[Bangladesh Computer Council \(BCC\)](#)

Architectural, Construction and Engineering Services

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U.S. architectural, construction, and engineering services are competitive in Bangladesh. Most donor-funded infrastructure projects require consultant services. While Asian firms are usually more cost-competitive in construction work, the government seems to prefer U.S. or European consultants to do project design and supervision. With efforts to improve building and fire safety in the garment sector underway, additional opportunities exist for services in the sector. Government and private firms have also turned to U.S. consultants for specialized engineering and construction oversight for major infrastructure projects including an oil refinery and grain silo projects. With new road and bridge construction projects in the works, the demand for engineering consultants is likely to increase.

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Consulting services

Opportunities

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The Bangladesh construction industry is growing with funding from the government, World Bank and other different agencies.

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[Government of the People's Republic of Bangladesh](#)
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Driven by steady growth of the textile and garment industry, Bangladesh has been consistently in the top three positions as a cotton importing country. USDA estimates of Bangladesh cotton import in FY 2013-14 is 4.1 million bales (895,000 tons) with a projected import volume expected to reach 4.3 million tons next year. The United States' share in the imported raw cotton market in Bangladesh declined from 20 percent in 2004 to less than ten percent in 2008, declining further to 4.5 percent and 5.5 percent in last two years. While Central Asian countries and India have emerged as major competitors, Bangladesh importers recognize the advantages of more consistent quality standards from U.S. suppliers.

Table: U. S. Cotton Export to Bangladesh

| Years* | 2009 | 2010 | 2011 | 2012 | 2013 |
|---------------------------|---------|---------|---------|--------|--------|
| Quantities (in Tons) | 101,474 | 79,531 | 107,659 | 33,645 | 47,896 |
| Values (in thousand US\$) | 144,334 | 142,892 | 365,956 | 87,081 | 97,472 |

*Cotton Marketing Years (August-July)

Bangladesh is a growing market for ELS and superior quality cotton. Approximately 40% of cotton imports are destined for export oriented spinning mills. These mills regularly import U.S. Pima and Upland cottons. They appreciate U.S. quality, consistency and better ginning, and are willing to pay reasonably higher prices. However, high freight costs and longer delivery periods often lead Bangladeshi importers to source their cotton from non-American suppliers. In addition to price competitiveness, export credit programs and direct contacts between U.S. suppliers and Bangladeshi buyers, through exchange visits, training, and trade shows, could contribute to the further growth of U.S. raw cotton exports to Bangladesh.

In the early 1990s, export-oriented woven, hosiery, and knitwear garments were entirely dependent on imported fabrics and yarns. Export bonuses at a rate of 25% for locally manufactured garments played a key role in enhancing the private textile mills' ability to supply yarns and fabrics for export garments. Recently, however, the government reduced cash incentives for the export-oriented textile sector to 5 percent. The country produces around 725 million kilograms (kg) of yarn, and there is additional domestic demand for 300 million kilograms. While 40% of yarn requirements for garment exports are met from domestic production, the shortfall is typically met through bonded imports. Most of the bonded yarn is imported from India, which supports domestic producers by

ensuring low raw cotton prices for Bangladeshi mills.

Currently, Bangladesh has 392 spinning mills, 782 textile weaving mills, and 240 dyeing and finishing mills. The country's more than 4,000 ready-made garment factories employ nearly 3.6 million workers; of them 80 percent are women. This industrial base is capable of supplying around 90% of the knitwear fabrics and 40-45% of the woven fabrics for the country's export oriented ready-made garment sector. Despite a remarkable growth in backward linkage industries, the country's current demand-supply gap of fabric is about 50 percent in terms of cotton-based fabrics and around 25 percent in terms of non-cotton based fabrics for the garment sector.

Wheat

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Bangladesh meets 75 percent of its wheat consumption needs through imports as annual wheat production of more than 1 million tons falls well short of the 4.5 million tons of demand. The country traditionally sources lower quality wheat from India, Russia and Ukraine, and higher quality wheat from Canada, Australia and the United States. Bangladesh has a price sensitive market and typically prefers imports of lower cost wheat. While India's geographic proximity offers a clear competitive advantage, India's occasional restriction of wheat exports has compelled importers to seek alternative suppliers including the European Union, Argentina and Brazil. Bangladeshi buyers are usually willing to pay a premium of around \$10-15 per metric ton for U.S. wheat. However, it is difficult to import sufficient volumes to offset the high freight costs.

While wheat production has increased in response to higher prices, limited land availability and significant competition from other remunerative crops like rice, corn, potato, and winter vegetables limits the expansion of wheat cultivation. The absence of suitable high-yielding varieties (HYVs) and strong competition from imports will further limit the growth of wheat production in Bangladesh. However, wheat cultivation remains a preferred option for non-irrigated land with low farm input-use (fertilizer, insecticides, and labor). Government wheat distribution has been scaled down in recent years, with focus on rural areas. However, wheat consumption by the medium to higher income urban population is growing steadily due to changes in food habits prompted by health consciousness and lifestyle changes. The organized bakery and biscuit industries as well as the emerging hotel, restaurant, and institutional sector are also contributing to the consumption of an additional 200,000 tons of higher quality wheat every year.

Wheat stocks have fluctuated as imports and production have diverged from consumption trends. Wheat stocks declined in 2011 as private stocks fell by 1 million tons and government stocks rose to 371,000 tons. This followed a rise in wheat stocks the previous year when imports and production exceeded market demands. There are some signs that private wheat imports are gaining momentum and predictions that wheat stocks may exceed 2 million tons by the end of 2012.

In FY 2013/14 Bangladesh wheat imports were estimated at 3 million tons (800,000 tons by the government and 2.2 million tons through private commercial sales) up by around 10 percent from the last marketing year's imports due to soft international price. Assuming the international price remains soft, Bangladesh wheat imports in FY 2014/15 are forecast to reach 3.3 million tons on anticipated growth in consumption demand.

Following the withdrawal of an export ban, India has emerged as the principal supplier accounting for 76 percent of the Bangladeshi imported wheat.

Wheat imports are currently duty free and face no quantitative restrictions. However, the public wheat tendering process does not encourage wide participation. Many government tenders are never finalized as bidders often quote high prices to cover various risk factors. The government has recently taken some steps to bring specifications more in line with international practices. These include reducing of the performance guarantee from 10 to 5 percent, increasing the maximum shipment period from 30 to 60 days, and increasing the minimum quantity offered from 25,000 to 30,000 tons. These changes have not increased participation, however, in part because unfavorable provisions remain in the tender specifications such as “weight and quality at final discharge.”

Vegetable Oil

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Vegetable oils are normally imported in crude form (primarily soybean oil and palm oil) and refined in the local refineries before they are marketed for local consumptions. Total edible oil imports in FY 2013 were estimated at 1.4 million tons. Following the increase in domestic oilseed production and in soybean imports for crushing, the current share of domestically produced oils in the total edible oil consumption is about 18 percent. The sustained price competitiveness versus soybean oil resulted in imports of an estimated 900,000 tons of palm oil, the rest being soybean oil. Bangladesh imports crude soybean oils mainly from Argentina and Brazil, and crude palm oils from Malaysia. Bangladesh also imports small quantities (around 25,000 tons per year) of refined edible oils.

A large majority of the refiners dilute soybean oil with palm oil to exploit overwhelming consumer preference for soybean oil and soybean oil blends, especially during the summer season. The blending proportions tilt towards palm oil when price difference between these two kinds of oils and their transportation costs widen. Under normal conditions, the consumption of edible oil in Bangladesh grows at 3-4 percent in a year. Though most edible oils are marketed without branded packaging, some refiners market their product in packaged condition with brand names.

In FY 2013 (Oct-Sept) Bangladesh imported \$33.5 million worth of soybeans and \$31.8 million worth of soybean meal from the United States up from only \$0.3 million and \$9.9 million respectively in the previous year.

Imports of soybean and palm oils enjoy zero tariffs, though other edible oils (sunflower, canola, groundnut etc.) are subject 10% or 25% tariff. Additional border charges include a 15% VAT (value added tax) and 3% AIT (advance income tax).

Fruits

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Bangladesh is a net importer of apples, grapes and pears. California grapes and Washington apples have a limited market in Bangladesh. Supplies of these fruits have to compete with those from India (the dominant and cheapest source due to its proximity), Bhutan, South Africa, Australia, and China. In FY 2011 Bangladesh's fruits import from

the U.S reached at a record \$10.3 million, which was about 7.4 percent of the country's total outlays for fruit import. A growing number of middle-class consumers prefers U.S. fruits for their higher quality and are willing to pay a small price premium. Despite high tariffs, apple imports and consumption have been growing at about 2-3% a year. However, due to political turmoil during FY13 Bangladesh's fruit import fell significantly, also affecting imports from the United States.

Imports of Fresh Fruits into Bangladesh (in thousand US\$)

| Years* | Total Imports | Imports from the U. S |
|-----------|---------------|-----------------------|
| 2009-2010 | 105,236 | 5,039 |
| 2010-2011 | 139,500 | 10,300 |
| 2011-2012 | 161,400 | 3,014 |
| 2012-2013 | 113,940 | 1,000 |

*Fiscal years from July 1 – June 30

Current Tariffs for imports of citrus fruits, grapes, apples, and pears

| Import Tariff and Border Charges | Canned Fruits (Up to 2.5 kg) | NES (Others) | Remarks |
|----------------------------------|------------------------------|--------------|--------------|
| Custom Duty (CD) | 25% | 25% | On C&F Value |
| Supplementary Duty (SD) | 20% | 20% | On C&F Value |
| Regulatory Duty (RD) | 5% | 5% | On C&F Value |
| Value added tax (VAT) | 15% | - | - |
| Advance Income Tax (AIT) | 5% | 5% | - |
| Advance Trade VAT (ATV) | 4% | - | - |
| Total Tax Incidence (TTI) | 92.3% | 61% | On C&F Value |

Source: National Board of Revenue, Bangladesh

Dairy Products

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Despite being an agrarian country, Bangladesh has very poor cattle resources both in numbers and productivity. Bangladesh imported \$213 million worth of dairy products in FY2013 (July –June). Major dairy products come from India, China, New Zealand, Australia and Denmark. Few foreign companies have established dairy processing and packaging industries targeting the growing demand from middle class population of the county. U.S. dairy product exports to Bangladesh were roughly \$12.7 million in FY 2012 (Oct-Sept), but declined to \$1.4 in FY 2013. However U.S. dairy exports to Bangladesh reached \$1.75 million in the October –July period of FY 2014, which is 97 percent increase over the previous year. There is high potential for increased trade in U.S. dairy exports to Bangladesh. With 5% to 25% customs duties depending on the form of milk powder and types of packaging (from consumer pack to bulk for industrial use) total tariff

for imports of dairy products varies from 31.07% to 92.3%.

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Chapter 5: Trade Regulations, Customs and Standards

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Import Tariffs

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Although Bangladesh has reduced tariffs over the past twenty years, they remain high due in part to their importance as a source of government revenue. Bangladesh currently has no tariff quotas on imports. Customs duties are levied on all imports except capital machinery, raw materials of medicine, poultry medicine, feed & machinery, defense stores, chemicals of leather and leather goods, private power generation unit, textile raw materials and machinery, solar power equipment, relief supplies, and goods for disabled people. Bangladesh allows duty-free (bonded) imports of certain raw materials to be used for producing finished goods for export. Additional information on customs duties is available on the [National Board of Revenue](#) website.

Duty rates fall primarily within three tiers:

| | |
|---|-----------|
| Certain machineries and basic raw materials | 0.0% & 6% |
| Intermediate Products | 6% & 13% |
| Finished products | 25% |

Bangladesh allows 1,491 and 1,861 products to enter into the local market through lower and mid level duty tiers while some 3,148 come in through the highest tier. The Customs Service also collects variety of additional border charges, including a 4% infrastructure development surcharge levied on almost all imports, excepting some commodities like rice and cotton. (Details are available online: [National Board of revenue Tariff Database.](#)) An advance income tax is levied on importers; the advance tax payments can be claimed as a tax credit at the end of the tax year. A trade neutral value added tax (VAT) of 15% is levied on all imports and domestically produced goods, with some exceptions, although uneven enforcement may favor domestically produced goods. The Government developed a new VAT law that, once implemented, aims to broaden coverage and increase VAT revenues. Supplementary duties of 20%, 35%, 65%, 100% and higher are levied on certain products with the highest duties on beer (250%) and alcohol & cigarettes (350%). Excise duties have been abolished on all items except bank accounts and airline tickets. Certain products are exempt from VAT. Other export-oriented industries and indirect exporters can claim a duty-drawback at stated rates.

In addition to high tariff rates and supplementary duties, Bangladesh has registration procedures and other regulatory requirements that often impede market access. Bangladesh is a member of the [Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Co-operation \(BIMSTEC\)](#) that was formed in 1997 with the key goal of a tariff free zone by 2017. The members of the cooperation are: Bangladesh, India, Myanmar, Sri Lanka, Thailand, Bhutan and Nepal. The BIMSTEC free trade agreement in goods took effect on July 1, 2006. Bangladesh is also a member of the [South Asia Association for Regional Cooperation \(SAARC\)](#), along with Bhutan, India, Pakistan, the Maldives, Nepal, and Sri Lanka. SAARC members have agreed to pursue tariff reductions under the [South Asia Free Trade Agreement \(SAFTA\)](#).

Import Requirements and Documentation

Unless otherwise specified, all imports must be made by opening an irrevocable letter of credit (L/C) which requires an approved Letter of Credit Authorization (LCA) form from Bangladesh Bank (the central bank). As a safety cushion against currency fluctuations, banks prefer to source foreign currency for letters of credit (L/Cs) over \$500,000 from the central bank. Typically, 1-2 days are required to obtain registration from the central bank. Even in those cases where an L/C is not mandated, the Embassy strongly recommends U.S. exporters use them. Despite its name, the LCA is required whether or not the transaction involves a letter of credit. Import against an LCA may be made without opening an L/C in the following areas:

- Books, journals, magazines, and periodicals on sight draft of issuance bill basis
- Any permissible item for an amount not exceeding \$25,000 in any one local fiscal year (July 1 - June 30) against remittances made from Bangladesh
- Commodity aid, grant or such other loan for which there are specified procurement procedures for import of goods without an L/C
- "International Chemical References" through bank drafts by recognized pharmaceutical (allopathic) firms on the approval of the Director, Drug Administration, for the purpose of quality control of their products

Importers must submit to their nominated banks the following documents with the LCA:

- L/C application form duly signed by the importer
- Indents for goods issued by indenter or a pro forma invoice obtained from the foreign supplier
- Insurance cover note

Foreign firms are allowed to import permissible commercial items with prior permission from the Chief Controller of Import and Export and need to provide the following documents:

- Photocopy of the valid Import Registration Certificate
- Photocopies of invoices, bill of lading, and import permit duly certified by the bank
- Original or copy of the General Index Register (GIR) certificate from the Income Tax Authority
- Certified copy of the last income tax assessment order
- Name and description of each item to be imported with quantity and approximate CIF value

Public sector importers also need to provide the following documentation:

- Attested photocopy of allocation letter issued by the allocating authority in favor of the concerned public sector agency specifying the source, amount, purpose, validity, and the terms and conditions
- Attested photocopy of sub-allocation letter, if any, issued in favor of the importing agency or unit
- Attested photocopy of sanction letter from the administrative ministry or authority, where applicable
- A declaration by the authorized officer of the importing agency indicating the amount of utilized/unutilized government funds and that imported raw materials will not be sold

Private sector importers need to furnish the following documents:

- Valid membership certificate from the registered local chamber of commerce and industry or any trade association, established on an all-Bangladesh basis, representing any special trade or business
- Proof of payment of renewal fees for the Import Registration Certificate (IRC) for the concerned fiscal year
- Copy of a “TIN Certificate” issued by the tax authority. The TIN (Tax Identification Number) Certificate is intended to ensure collection of income tax, VAT and other revenues from importers
- A declaration, in triplicate, that the importer has paid income tax or submitted an income tax return for the preceding year
- Any such documents as may be required by import policy order or public notice, or instruction issued by the Chief Controller of Imports and Exports

In the following case, neither an LCA nor the opening of an L/C will be necessary, but an import permit (IP) or clearance permit (CP) will have to be obtained by the importer:

- Books, magazines, journals, periodicals and scientific and laboratory equipment against surrender of UNESCO coupons
- Pay-as-you-earn scheme for a limited number of cars, fishing vessels, cargo or passenger vessels, and new machinery on the basis of clearance from the Bangladesh Bank
- Items by passengers coming from abroad in excess of the permissible limits as per permitted allowance
- Free samples, advertising materials, and gift items above prescribed ceilings

U.S. Export Controls

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Exports of goods and services to Bangladesh are generally permitted, subject to U.S. laws and regulations governing export of certain goods generally. Information and guidance on the application of U.S. export controls to a company's products is available from [US Export Controls and Licenses](#) and the [Bureau of Industry and Security](#) .

Temporary Entry

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Agents and representatives of foreign manufacturers are allowed to import machinery and equipment from their principals for purposes of demonstration or exhibition, subject to the following conditions:

- The goods brought into Bangladesh will be re-exported within a period of one year

- The importer executes a bond and furnishes a bank guarantee or understanding or a legal instrument to the satisfaction of Customs at the time of clearance indicating that the goods will be re-exported in a timely manner
- If the goods include any banned or restricted items, prior permission is required from the Chief Controller of Imports and Exports

Equipment or machinery imported on a temporary basis can be exempt from duty if the importer obtains an import/export permit.

Labeling and Marking Requirements

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Imported goods (including their containers) must not bear any words or inscriptions of a religious connotation, the use or disposal of which may injure the religious beliefs of any class of the citizens of Bangladesh. In addition, imported goods should not bear any obscene pictures, writing, inscription, or visible representation. Milk and any products containing milk may be imported in cans and in bulk. The container must indicate the ingredients in Bangla as well as the manufacturing and expiration dates in Bangla or English. A measuring spoon must be supplied in all containers of dehydrated baby food. Non-fat dried milk is importable only in airtight containers with the date of manufacture and expiration noted in Bangla or English. Pesticide containers must be able to withstand "handling by sea," be labeled with the chemical contents, and meet other specifications.

Prohibited and Restricted Imports

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Bangladesh's places controls on imports of some items currently listed in the [Import Policy Order 2012-2015](#). Items banned on either religious, social, health, or economic policy grounds include illegal drugs, materials that would offend religious sensitivities, certain agricultural products and several types of reconditioned equipment. In addition, the import of goods from Israel and shipment of goods on vessels operating under the Israeli flag is prohibited. Additional items are restricted, but not banned, from import for religious, social, health, security or trade reasons. Of the restricted items, some may be imported with prior permission, while other items may be imported only by authorized industrial users, (e.g., pharmaceutical enterprises) or government agencies (e.g., arms and ammunition).

Customs Regulations and Contact Information

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Bangladesh Customs operates under the National Board of Revenue (NBR), which is the lead tax collection agency in Bangladesh. The NBR is part of the Internal Resources Division (IRD) under the Ministry of Finance. The Customs wing of the NBR formulates policy concerning the levy and collection of customs duties and related taxes. For more information, please visit the [National Board of Revenue](#).

The two main customs offices in Bangladesh are:

Dhaka Custom House

Kurmitola, Dhaka.

Phone: +880-2-8914890 - 5(PABX)

Fax : +880-2 - 8911132

Contact Person:

Commissioner Customs House (Dhaka) Phone: +880-2-8911101

Chittagong Custom House
Chittagong
Phone: +880-31 - 723101 - 7 (PABX)
Fax : +880-31 - 7139

Standards

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- [Publication of Technical Regulations](#)
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Overview

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The [Bangladesh Standards and Testing Institution \(BSTI\)](#) is responsible for monitoring product quality and acceptability. The institute inspects products for conformity with applicable product standards and safety regulations and issues product certifications.

Standards Organizations

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Quality standards are set and monitored by the [Bangladesh Standards and Testing Institution \(BSTI\)](#). Quality standards are set following international standards, such as those established by the International Standards Organization. Bangladesh also recognizes and accepts goods bearing certifications from standards institutions of other countries. The Department of Drugs Administration under the Ministry of Health and Family Welfare controls the standards for pharmaceuticals. The Bangladesh Atomic Energy Commission tests imported food items to ensure that the prescribed standard for radioactivity is maintained.

NIST Notify U.S. Service

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. **Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at Internet URL: <http://www.nist.gov/notifyus/>

Conformity Assessment

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Product conformity with applicable standards is monitored by the applicable standards organization, as described above.

Product Certification

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When required, products are certified by the standards organizations identified above. There are no mutual recognition agreements (MRAs) between the U.S. and Bangladesh. Bangladesh is developing MRAs with India.

Accreditation

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Accreditation, when required, is done through the applicable standards organization, as described above.

Publication of Technical Regulations

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The Bangladesh Government Press, the government printing office, publishes the weekly "Bangladesh Gazette" every Thursday. The gazette provides official notice of government actions, including the issuance of government rules and regulations and the transfer and promotion of government employees.

Labeling and Marking

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Imported goods (including their containers) must not bear any words or inscriptions of a religious connotation, the use or disposal of which may injure the religious feelings and beliefs of any class of the citizens of Bangladesh. In addition, imported goods should not bear any obscene pictures, writing, inscription, or visible representation. Milk and any products containing milk may be imported in cans and in bulk. The container must indicate the ingredients in Bangla as well as the manufacturing and expiration dates in Bangla or English. A measuring spoon must be supplied in all containers of dehydrated baby food. Non-fat dried milk is importable only in airtight containers with the date of manufacture and expiration noted in Bangla or English. Pesticide containers must be able to withstand "handling by sea," be labeled with the chemical contents, and meet other specifications.

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[The Bangladesh Standards and Testing Institution \(BSTI\)](#)

Trade Agreements

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Bangladesh is a founding member of the World Trade Organization, where it has been active in promoting the interests of the least developed countries. Bangladesh is a member of the South Asia Preferential Trade Agreement (SAPTA) and the South Asia Free Trade Agreement (SAFTA), both under the umbrella of the South Asia Association for Regional Cooperation (SAARC). Bangladesh is also a signatory to the Bangkok agreement, which aims at trade liberalization between LDCs in Asia. Bangladesh is a member of BIMSTEC, an organization that seeks to promote economic cooperation among its members: Bangladesh, India, Burma, Sri Lanka, Thailand, Bhutan and Nepal.

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[South Asia Association for Regional Cooperation \(SAARC\)](#)
[Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Co-operation \(BIMSTEC\)](#)

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[Bangladesh Board of Investment](#)

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Openness To, and Restrictions Upon, Foreign Investment [Return to top](#)

With six percent annual growth sustained over the past two decades, a large workforce, and vibrant private sector, Bangladesh, the world's seventh largest country by population, offers opportunities for investment, especially in the energy, power, pharmaceutical, information technology, telecommunications, and infrastructure sectors as well as in labor-intensive industries such as readymade garments, household textiles, and leather processing. There is also significant demand in major cities for U.S. consumer products and franchises. The Government of Bangladesh actively seeks foreign investment, particularly in energy, power, and infrastructure projects. It offers a range of investment incentives under its industrial policy and export-oriented growth strategy, with few formal distinctions between foreign and domestic private investors.

According to the 2013 World Investment Report, Bangladesh received \$990 million in foreign direct investment (FDI) in FY13, down from \$1.13 billion in the previous year. This is a nominal amount of investment compared to \$38.9 billion in foreign investment that the entire South Asia region attracted, as India continues to dominate FDI inflows for the region. Bangladesh has made gradual progress in reducing some constraints on investment, but inadequate infrastructure, financial constraints, bureaucratic delays, and corruption continue to hinder foreign investment. The lack of effective alternative dispute resolution mechanisms and slow judicial processes impede the enforcement of contracts and the resolution of business disputes.

National elections in January 2014 were preceded by a year of unprecedented political violence and uncertainty, which adversely affected the business and investment climate. The political turbulence subsided after the election, and the return to stability has helped restore business confidence to some extent.

Energy and Infrastructure Development

The Government of Bangladesh has pursued ambitious plans for infrastructure development, particularly in the power sector, where it pledged to double generation capacity from 6,000 MW to 12,000 MW by 2015 and to 20,000 MW by 2021. In late-2013 the government announced it had an installed capacity of 10,000MW. In 2009, the government launched an initiative with modest funding for public private partnerships (PPP) and began to develop a legal and regulatory framework to implement this initiative. In 2010, due to critical power shortages and chronic delays in implementing power projects, the government amended procurement requirements to allow unsolicited bids and expedited the approval of power generation projects. It also aims to formulate a coal policy to encourage investment in developing coal resources and coal-based power projects. Administrative approval of the production plan of a foreign-owned, open-cast coal mine in northwest Bangladesh has remained pending since November 2005 due to local opposition and political pressure from civil society groups. The government has improved the efficiency of the main seaport in Chittagong and is constructing a four-lane highway to connect Chittagong with the capital city of Dhaka. Prolonged and contentious public procurement processes, however, continue to challenge government efforts to develop infrastructure projects. The landmark \$3.1 billion donor financed Padma Multipurpose Bridge project, which would have substantially improved interregional connectivity, was shelved by the government because of disputes with the World Bank on the way forward after the World Bank raised concerns about transparency in the procurement process. On January 23, 2014, the Prime Minister announced six fast-tracked large infrastructure projects to address transportation and energy bottlenecks, among them a new self-financed Padma Bridge project.

Legal Framework

Major laws affecting foreign investment include: the Foreign Private Investment (Promotion and Protection) Act of 1980; the Industrial Policy Act of 2005, the Bangladesh Export Processing Zones Authority Act of 1980; the Companies Act of 1994, and the Telecommunications Act of 2001. Legislation offers incentives for investors, including: 100 percent foreign ownership in most sectors, tax holidays and exemptions, reduced import duties on capital machinery and spare parts, and duty-free imports for 100 percent exporters of ready-made garments. The government extended a tax holiday scheme for start-up industries through June 30, 2015.

Beneficiary industries include agro-processing, steel production, jute industries, some textile units, and telecom infrastructure except for mobile phones. A tax rebate facility to non-resident Bangladeshi investors was also extended to induce investment from abroad. Import duties and supplemental taxes remain high and constitute an important source of government revenue. Customs bonded warehouses enable companies located in export processing zones (EPZs) to avoid duty payments on inputs for goods that will be exported. There are few performance requirements, and these do not generally

impede investment. Land registration has historically been prone to disputes over competing titles, and scarcity of land is a significant investment constraint.

While discrimination against foreign investors is not widespread, the government frequently promotes local industries and some discriminatory policies and regulations exist. For example, the government closely controls approvals for imported medicines that compete with domestically-manufactured pharmaceutical products and it has required majority local ownership of new shipping companies, albeit with exemptions for existing foreign-owned firms, following a prime ministerial directive.

Investment Promotion Agencies

The Board of Investment (BOI) and the Bangladesh Export Processing Zones Authority (BEPZA) are the primary investment promotion agencies in Bangladesh. Companies must register with the BOI to obtain benefits such as tax incentives or preferential duties for imported equipment. The BOI also administers the approval of some foreign loans and payments on behalf of the Bangladesh Bank. Though the BOI is frequently touted as a one-stop shop for all investors, authority for managing foreign investment remains fragmented. The BOI can register investors in industrial projects outside the EPZs and assist them with tax inquiries, land acquisition, utility hook-ups, and incorporation. The BEPZA performs the same functions for companies investing in the EPZs. Investors in infrastructure and natural resource sectors, including power, mineral resources and telecommunications must seek approval from the corresponding government ministries. Although the BOI is housed organizationally in the Prime Minister's Office, regulatory and administrative powers remain vested in the line ministries. Companies often complain that ministries require unnecessary licenses and permissions.

Currency Convertibility

Free repatriation of profits is allowed for registered companies and profits are almost fully convertible on the current account; however, companies report that the procedures for repatriation of foreign currency are lengthy and cumbersome. When rising fuel imports helped swing balance of payments from surplus to deficit in 2010-2011, scarcity of foreign exchange and currency depreciation temporarily increased convertibility risks. Since 2011, the balance of payments has swung back into surplus, foreign reserves reached an all-time high of over \$20 billion, and convertibility risks have declined.

Privatization

The government privatized some state-owned enterprises (SOEs) during the past twenty years, but many SOEs retain an important role in the economy, particularly in the financial and energy sectors. The current government has taken steps to restructure several SOEs to improve their competitiveness. Biman Bangladesh Airline was converted into a public limited company that initiated a rebranding and fleet renewal program, including the purchase of 10 aircraft from Boeing, four of which were delivered by March, 2014. Three nationalized commercial banks (NCBs) -- Sonali, Janata and Agrani -- have been converted to public limited companies. Bangladesh allows private investment in power generation and natural gas exploration, but efforts to allow full foreign participation in petroleum marketing and gas distribution have stalled.

The telecommunications sector was liberalized during the last decade, leading to the development of a competitive cellular phone market. The government has been slow to allow greater competition for international connectivity and internet telephony. In 2007, the government revised the International Long Distance Telecommunication Services Policy (ILDTS) to legalize voice over internet protocol (VoIP), but has not yet implemented this policy, and restrictions remain on international video conferencing and voice chat. IP Telephony Service has been licensed under IP Telephony Service Providers (IPTSP) but infrastructure constraints limit its use. Business process outsourcing companies (BPOs), particularly call centers, are limited by stringent policy that affects the cost of business. Although the present government has further liberalized licensing ILDTS Policy 2010, a VoIP gray market exists.

TABLE 1: The following chart summarizes several well-regarded indices and rankings.

| Measure | Year | Rank or value | Website Address |
|---|------|---------------|---|
| TI Corruption Perceptions index | 2013 | (136 of 177) | http://cpi.transparency.org/cpi2013/results/ |
| Heritage Foundation's Economic Freedom index | 2014 | (131 of 178) | http://www.heritage.org/index/ranking |
| World Bank's Doing Business Report "Ease of Doing Business" | 2014 | (130 of 189) | http://doingbusiness.org/rankings |
| Global Innovation Index | 2013 | (130 of 142) | http://www.globalinnovationindex.org/content.aspx?page=gii-full-report-2013#pdfopener |
| World Bank GNI per capita | 2012 | USD 840 | http://data.worldbank.org/indicator/NY.GNP.PCAP.CD |

Conversion and Transfer Policies

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Bangladesh Bank, the central bank of Bangladesh, does not fix the exchange rate against foreign currencies, but it regulates conversion. The Bangladesh taka is almost fully convertible for current account transactions, such as import trade and travel needs, but not for capital account transactions, such as investing, currency speculation, or e-commerce. The Foreign Investment Act guarantees the right of repatriation of invested capital, profits, capital gains, post-tax dividends, and approved royalties and fees for businesses. The central bank's exchange control regulations and the U.S.-Bangladesh Bilateral Investment Treaty (in force since 1989) provide similar investment transfer

guarantees. The BOI may need to approve repatriation of royalties and other fees. The Bangladesh taka depreciated more than 15 percent against the U.S. dollar in 2011, but strengthened at the end of 2012, and has remained relatively stable, supported by overseas remittances and foreign reserves reaching record highs.

Expropriation and Compensation

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Since the Foreign Investment Act of 1980 banned nationalization or expropriation without adequate compensation, the Government of Bangladesh has not nationalized or expropriated property from foreign investors. In the years immediately following independence in 1971, widespread nationalization resulted in government ownership of over 90 percent of fixed assets in the modern manufacturing sector, including textile, jute and sugar industries as well as all banking and insurance interests, except those in foreign (but non-Pakistani) hands. The government has since taken steps to privatize many of these industries during the last twenty years and the private sector has developed into a main driver of the country's sustained economic growth of 5-6 percent per year during the past two decades.

Dispute Settlement

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A fundamental impediment to investment in Bangladesh is a weak and slow legal system in which the enforceability of contracts is uncertain. The judicial system does not provide for interest to be charged in tort judgments, thus there is no penalty for delaying proceedings. In a significant milestone, the government in 2007 separated the country's judiciary from the executive, but the executive retains strong influence over the judiciary through control of judicial appointments. Other pillars of the justice system including the police, courts, and legal profession are also closely aligned with the executive branch. In lower courts, corruption is widely perceived as a serious problem. The High Court's previous reputation for impartiality has also been brought into question in recent years. Nonetheless, Bangladeshi law allows contracts to refer dispute settlement to third country forums for resolution. Bangladesh is a signatory to the International Convention for the Settlement of Disputes (ICSID) and it acceded (on May 6, 1992) to the United Nations Convention for the Recognition and Enforcement of Foreign Arbitral Awards. Bangladesh is also a party to the South Asia Association for Regional Cooperation (SAARC) Agreement for the Establishment of an Arbitration Council, signed November 13, 2005, which aims to establish a permanent alternative dispute resolution center in one of the SAARC member countries. A provision of the U.S.-Bangladesh Bilateral Investment Treaty permits submission of investment disputes to ICSID for third-party settlement.

The ability of the Bangladeshi judicial system to enforce its own awards is weak, and there is no reason to believe that enforcement of foreign judgments would be stronger. The Bangladesh Export Promotion Bureau is sometimes helpful in facilitating dispute settlement for export-related transactions. Major Bangladeshi trade and business associations can also help to resolve transaction disputes.

Many laws affecting investment in Bangladesh are old and outdated. Bankruptcy laws, which apply mainly to individual insolvency, are sometimes not used in business cases because of a web of falsified assets and uncollectible cross-indebtedness supporting

insolvent banks and companies. A Bankruptcy Act was enacted in 1997 but has been ineffective in addressing these issues. A new Companies Act is in process of enactment by the parliament. Some bankruptcy cases fall under the Money Loan Court Act, which has more stringent and timely procedures.

Dispute settlement is also hampered by shortcomings in accounting practices and in the registration of real property. With the exception of those conducted by a few internationally affiliated accounting firms, audits of balance sheets and profit and loss statements often follow clients' instructions and fail to conform to international standards. Documents affecting title to real property are often not registered, complicating transfer of ownership and collateral agreements.

Performance Requirements and Incentives

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The government's industrial policies favor manufacturing and labor-intensive industries that use local inputs. A variety of subsidies and other incentives are available to different industrial ventures, primarily in export sectors and, to a certain extent, import substitution sectors. The Government also provides loans at concessionary rates through state banks and government-owned development banks for exports, cottage industries, and agriculture. These incentives are available to both domestic and foreign investors.

In order to simplify the tariff structure and generate more revenue through import duties, the government developed a four-tier duty structure with higher duties on finished products, but reduced duties on industrial inputs such as capital machinery, spare parts, basic raw materials, and intermediate raw materials.

The government also offers a variety of tax incentives to selected sectors of the economy, including:

- A 50 percent rebate for taxable income generated from export earnings (according to section 44(1) and the paragraph 28 of 6th Schedule Part A of Income Tax Ordinance, 1984);
- An income tax exemption on export earnings from handicrafts and cottage industries (according to S.R.O No. 339-L/86, dated the 13th August, 1986);
- Tax holidays of five to seven years, depending on location, for new industrial enterprises in the textile, pharmaceuticals, plastic, ceramics, sanitary ware, iron, steel, fertilizer, insecticide, computer hardware, petrochemicals, pharmaceutical raw materials, agricultural equipment, and industrial machinery. (Note: This provision has been extended annually, with the current extension allowing business to begin claiming this incentive by June 2015);
- Industries set up within EPZs are exempted from five to seven years depending on the location of the EPZ according to SRO No. 219 of 2012;
- Accelerated depreciation for enterprises not eligible for a tax holiday is provided for in paragraph 7 of 3rd Schedule of Income Tax Ordinance, 1984;

-- Power projects are exempt from income taxes for up to 15 years according to the National Power Policy, S.R.O. 211-Law/Income Tax/2013 dated 1 July, 2013 amended by S.R.O. 354-Law/Income Tax/2013 dated 18 November, 2013 and S.R.O. 213-Law/Income Tax/2013 dated 1 July,2013.

Right to Private Ownership and Establishment

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Foreign and domestic private entities can establish and own, operate, and dispose of interests in most types of business enterprises. Four sectors, however, are reserved for government investment:

- Arms and ammunition and other defense equipment and machinery;
- Forest plantation and mechanized extraction within the bounds of reserved forests;
- Production of nuclear energy;
- Security printing.

Protection of Property Rights

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Although land, whether for purchase or lease, is often critical for investment and as security against loans, antiquated real property laws and poor record-keeping systems can complicate land and property transactions. Land registration records have been historically prone to competing claims. Instruments take effect from the date of execution, not the date of registration, so a bona fide purchaser can never be certain of title. Property owners can obtain mortgages, but parties avoid registering mortgages, liens, and encumbrances due to the high cost of stamp duties (i.e., transaction taxes based on property value) and other charges.

Bangladesh has slowly made progress bringing its legislative framework into compliance with the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). The government enacted a Copyright Law in July 2000 (later amended in 2005) and a Trademarks Act in 2009, and it is preparing draft Patent and Design laws to modernize its current Patent and Design legislation dating from 1911. Once fully implemented, this legislation is intended to bring the country's intellectual property laws into full compliance with TRIPS requirements. Department of Patent, Designs and Trademarks (DPDT) drafted a new Patent Act, 2014 which has been prepared in compliance with the requirements of the TRIPS Agreement, and is under Ministry of Industries review. After Ministry of Industry review, it will be uploaded on DPDT's website for public comment.

The government has limited resources for intellectual property rights (IPR) protection. Enforcement actions against IPR violators are rare despite widespread availability of pirated goods, and industry estimates that 90 percent of business software is pirated. BSA, the Software Alliance, launched a Bangladesh office in early 2014 as a platform to improve IPR protection in Bangladesh. A number of American firms, including film studios, manufacturers of consumer goods, and software firms, have reported violations of their intellectual property rights. Bangladesh is a member of the World Intellectual Property Organization (WIPO); and acceded to the Paris Convention on Intellectual Property in 1991.

For additional information about treaty obligations and points of contact at local IP offices, please see WIPO's country profiles at <http://www.wipo.int/directory/en/>.

Local attorneys list: http://dhaka.usembassy.gov/legal_resources.html

Transparency of Regulatory System

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Starting from a position of extreme over-regulation, the government has gradually moved since 1989 to decrease regulatory obstruction of private business. Although some officials have shown genuine commitment to these reforms, in general, changes encountered broad-based resistance from many domestic groups in the economy, including influential members of the business community. The official chambers of commerce include manufacturers in protected industries and well-connected commission agents pursuing government contracts. Chamber members have called for a greater voice for the private sector in government decisions and for privatization, but at the same time many support protectionism and subsidies for their own industries.

Policy and regulations in Bangladesh are often not clear, consistent, or publicized. Generally, the civil service, businesses, professionals, trade unions, and political parties have vested interests in a system in which confidentiality is used as an excuse for lack of transparency and in which patron-client relationships are the norm. Registration and regulatory processes are often used as rent-seeking opportunities. Bangladesh has made incremental progress in using information technology to improve the transparency and efficiency of some government services and developing independent agencies to regulate the energy and telecommunication sectors.

In practice, government laws, regulations and their implementation often do not reduce distortions or impediments to investment, but create them. The government has historically limited opportunities for the private sector to comment on proposed regulations but several agencies, including the Commerce Ministry and telecommunications regulator have posted draft legislation and regulations online and solicited input from the business community.

Efficient Capital Markets and Portfolio Investment

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While Bangladesh has made gradual progress in developing capital markets, the markets have relied primarily on domestic investors with limited participation from international portfolio investors. A 2010-2011 stock market bubble and correction underscored weaknesses in capital markets and deficiencies in regulatory oversight. The Dhaka Stock Exchange (DSE) market capitalization rose to a peak of \$48 billion in December 2010 before declining to roughly \$30 billion in January 2012. A sharp increase in retail investors combined with loose monetary policy and lax regulatory oversight fueled inflation of share prices in 2010. Since this episode, regulatory oversight has nonetheless improved.

As steady economic growth has fueled rising domestic investment, Bangladeshi firms have increasingly relied on capital markets to finance investment projects. The DSE has

attracted some foreign portfolio investors to the country's capital market; however the volume of foreign investment in Bangladesh has remained a small fraction of total market capitalization. As a result, foreign portfolio investment has had limited influence on market trends and Bangladesh's capital markets have been largely insulated from volatility of international financial markets.

Foreign investors have access to local credit markets, but many seek offshore financing at more competitive rates. If they finance locally, it is usually with a foreign bank branch. State-owned banks, known as nationalized commercial banks (NCBs), comprise roughly 25 percent of the total lending. Financial analysts estimate that a significant share of the country's total asset base is non-performing based on their long-outstanding debts to the NCBs. Following the January 2014 elections, the government agreed to allow financial institutions to reschedule non-performing loans until June 2014. An important part of the IMF's ongoing Extended Credit Facility (ECF) with Bangladesh is related to financial sector reforms.

The Securities and Exchange Commission (SEC) was formed in 1993 to regulate the Dhaka Stock Exchange (DSE) and Chittagong Stock Exchange (CSE) and protect investors. In 1997, the SEC imposed new restrictions on the involvement of foreign investors in the Bangladesh capital market. The guidelines stipulate that 10 percent of primary issues are reserved for non-resident Bangladeshis. Foreign investors have complained that this measure exacerbates a significant market drawback: the difficulty of buying or selling in volume over a reasonably short period. Nonetheless, Bangladesh is a rare case in South Asia which allows 100 percent company ownership by foreigners in most sectors. The SEC considers the 10 percent allowance for non-resident Bangladeshis to be an incentive for foreign investment.

Competition from State Owned Enterprises

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SOEs are active in banking, energy, transportation and agricultural sectors. SOEs usually report to line ministries, though the government has allowed some increased autonomy for certain SOEs such as national carrier Biman Bangladesh Airline. State-owned banks generally maintain a wider network of branches and depositors than private banks, but private banks have gradually increased their role. Private energy companies can invest in power generation through independent power purchase (IPP) agreements with the Bangladesh Power Development Board. Oil and gas firms can pursue exploration and production ventures through production sharing agreements with the state-owned oil and gas company, Petrobangla. SOEs maintain control of rail transportation, but private companies compete freely in air and road transportation.

Corporate Social Responsibility

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The business community is increasingly aware and engaged in corporate social responsibility (CSR) activities with multinational firms and local business conglomerates leading the way. U.S. companies present in Bangladesh maintain diverse CSR activities. Consumers are generally less aware of CSR and there is little pressure from consumers or shareholders for companies to engage in CSR activities. While many international firms are aware of OECD guidelines and international best practices in CSR, most local firms have limited familiarity with international standards.

Political Violence

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Incidents of violence targeting foreign projects or installations have been isolated and criminal, rather than political, in nature. Extortion of money from businesses by thugs claiming political backing is common. Clashes between supporters of rival political parties and their student and youth wings and even factions within the same party are frequent occurrences, particularly in the run-up to elections. General strikes and blockades called by political parties mostly affect businesses by keeping workers away with the threat of violence and blocking transport, resulting in productivity losses. Vehicles and other property are at risk from vandalism or arson during such programs, and looting of shops has occurred.

Responding to public concern over law and order, the government in March 2004 created a special elite force, known as the Rapid Action Battalion (RAB) as part of its anti-crime initiative. The RAB is comprised of members of the armed forces, the police, and the Bangladesh Border Guard and Ansars, both paramilitary groups. The RAB became operational in June 2004 and has been credited by many Bangladeshis with improving domestic law and order. Soon after its formation, however, the local media began reporting on "cross-fires," a euphemism for extrajudicial killings, particularly by the RAB. Reports of cross-fire incidents continue.

In February 2005 the government banned two extremist groups: Jama'atul Mujahedin Bangladesh (JMB) and Jagroto Muslim Janata Bangladesh (JMJB). On August 17, 2005, JMB, with the assistance of JMJB, set off over 500 small, improvised explosive devices (IEDs) in a coordinated attack in 63 of the 64 districts of Bangladesh. The devices were accompanied by leaflets demanding the establishment of Islamic law in Bangladesh. From September to early December 2005, JMB conducted several suicide attacks targeting local judges, courts and district government facilities. The government responded vigorously, arresting several high-ranking leaders of JMB and recovering detonators, explosives and related materials used to construct IEDs. As of January 2014, there had been no attacks by extremist groups on foreign diplomatic, commercial or social interests in Bangladesh; the current Awami League government has demonstrated a strong commitment to combating terrorism.

Corruption

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Corruption, including bribery, raises the costs and risks of doing business. Corruption has a corrosive impact on both market opportunities overseas for U.S. companies and the broader business climate. It also deters international investment, stifles economic growth and development, distorts prices, and undermines the rule of law.

It is important for U.S. companies, irrespective of their size, to assess the business climate in the relevant market in which they will be operating or investing, and to have an effective compliance program or measures to prevent and detect corruption, including foreign bribery. U.S. individuals and firms operating or investing in foreign markets should take the time to become familiar with the relevant anticorruption laws of both the foreign country and the United States in order to properly comply with them, and where appropriate, they should seek the advice of legal counsel.

The U.S. Government seeks to level the global playing field for U.S. businesses by encouraging other countries to take steps to criminalize their own companies' acts of corruption, including bribery of foreign public officials, by requiring them to uphold their obligations under relevant international conventions. A U. S. firm that believes a competitor is seeking to use bribery of a foreign public official to secure a contract should bring this to the attention of appropriate U.S. agencies, as noted below.

U.S. Foreign Corrupt Practices Act: In 1977, the United States enacted the Foreign Corrupt Practices Act (FCPA), which makes it unlawful for a U.S. person, and certain foreign issuers of securities, to make a corrupt payment to foreign public officials for the purpose of obtaining or retaining business for or with, or directing business to, any person. The FCPA also applies to foreign firms and persons who take any act in furtherance of such a corrupt payment while in the United States. For more detailed information on the FCPA, see the FCPA Lay-Person's Guide at: <http://www.justice.gov/criminal/fraud/>

Other Instruments: It is U.S. Government policy to promote good governance, including host country implementation and enforcement of anti-corruption laws and policies pursuant to their obligations under international agreements. Since enactment of the FCPA, the United States has been instrumental to the expansion of the international framework to fight corruption. Several significant components of this framework are the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Anti-bribery Convention), the United Nations Convention against Corruption (UN Convention), the Inter-American Convention against Corruption (OAS Convention), the Council of Europe Criminal and Civil Law Conventions, and a growing list of U.S. free trade agreements. This country is party to [add instrument to which this country is party], but generally all countries prohibit the bribery and solicitation of their public officials.

OECD Anti-bribery Convention: The OECD Anti-bribery Convention entered into force in February 1999. As of March 2009, there are 38 parties to the Convention including the United States (see <http://www.oecd.org/dataoecd/59/13/40272933.pdf>). Major exporters China, India, and Russia are not parties, although the U.S. Government strongly endorses their eventual accession to the Convention. The Convention obligates the Parties to criminalize bribery of foreign public officials in the conduct of international business. The United States meets its international obligations under the OECD Anti-bribery Convention through the U.S. FCPA. [Insert information as to whether your country is a party to the OECD Convention.]

UN Convention: The UN Anticorruption Convention entered into force on December 14, 2005, and there are 158 parties to it as of November 2011 (see <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>). The UN Convention is the first global comprehensive international anticorruption agreement. The UN Convention requires countries to establish criminal and other offences to cover a wide range of acts of corruption. The UN Convention goes beyond previous anticorruption instruments, covering a broad range of issues ranging from basic forms of corruption such as bribery and solicitation, embezzlement, trading in influence to the concealment and laundering of the proceeds of corruption. The Convention contains transnational business bribery provisions that are functionally similar to those in the OECD Anti-bribery Convention and contains provisions on private sector auditing and books and records requirements. Other provisions address matters such as prevention,

international cooperation, and asset recovery. [Insert information as to whether your country is a party to the UN Convention.]

OAS Convention: In 1996, the Member States of the Organization of American States (OAS) adopted the first international anticorruption legal instrument, the Inter-American Convention against Corruption (OAS Convention), which entered into force in March 1997. The OAS Convention, among other things, establishes a set of preventive measures against corruption, provides for the criminalization of certain acts of corruption, including transnational bribery and illicit enrichment, and contains a series of provisions to strengthen the cooperation between its States Parties in areas such as mutual legal assistance and technical cooperation. As of December 2009, the OAS Convention has 34 parties (see <http://www.oas.org/juridico/english/Sigs/b-58.html>) [Insert information as to whether your country is a party to the OAS Convention.]

Council of Europe Criminal Law and Civil Law Conventions: Many European countries are parties to either the Council of Europe (CoE) Criminal Law Convention on Corruption, the Civil Law Convention, or both. The Criminal Law Convention requires criminalization of a wide range of national and transnational conduct, including bribery, money-laundering, and account offenses. It also incorporates provisions on liability of legal persons and witness protection. The Civil Law Convention includes provisions on compensation for damage relating to corrupt acts, whistleblower protection, and validity of contracts, inter alia. The Group of States against Corruption (GRECO) was established in 1999 by the CoE to monitor compliance with these and related anti-corruption standards. Currently, GRECO comprises 49 member States (48 European countries and the United States). As of December 2011, the Criminal Law Convention has 43 parties and the Civil Law Convention has 34 (see www.coe.int/greco.) [Insert information as to whether your country is a party to the Council of Europe Conventions.]

Free Trade Agreements: While it is U.S. Government policy to include anticorruption provisions in free trade agreements (FTAs) that it negotiates with its trading partners, the anticorruption provisions have evolved over time. The most recent FTAs negotiated now require trading partners to criminalize “active bribery” of public officials (offering bribes to any public official must be made a criminal offense, both domestically and transnationally) as well as domestic “passive bribery” (solicitation of a bribe by a domestic official). All U.S. FTAs may be found at the U.S. Trade Representative Website: <http://www.ustr.gov/trade-agreements/free-trade-agreements>. [Insert information as to whether your country has an FTA with the United States: Country [X] has a free trade agreement (FTA) in place with the United States, the [name of FTA], which came into force. Consult USTR Website for date: <http://www.ustr.gov/trade-agreements/free-trade-agreements>.]

Local Laws: U.S. firms should familiarize themselves with local anticorruption laws, and, where appropriate, seek legal counsel. While the U.S. Department of Commerce cannot provide legal advice on local laws, the Department’s U.S. and Foreign Commercial Service can provide assistance with navigating the host country’s legal system and obtaining a list of local legal counsel.

Assistance for U.S. Businesses: The U.S. Department of Commerce offers several services to aid U.S. businesses seeking to address business-related corruption issues. For example, the U.S. and Foreign Commercial Service can provide services that may assist U.S. companies in conducting their due diligence as part of the company’s

overarching compliance program when choosing business partners or agents overseas. The U.S. Foreign and Commercial Service can be reached directly through its offices in every major U.S. and foreign city, or through its Website at www.trade.gov/cs.

The Departments of Commerce and State provide worldwide support for qualified U.S. companies bidding on foreign government contracts through the Commerce Department's Advocacy Center and State's Office of Commercial and Business Affairs. Problems, including alleged corruption by foreign governments or competitors, encountered by U.S. companies in seeking such foreign business opportunities can be brought to the attention of appropriate U.S. government officials, including local embassy personnel and through the Department of Commerce Trade Compliance Center "Report A Trade Barrier" Website at tcc.export.gov/Report_a_Barrier/index.asp.

Guidance on the U.S. FCPA: The Department of Justice's (DOJ) FCPA Opinion Procedure enables U.S. firms and individuals to request a statement of the Justice Department's present enforcement intentions under the anti-bribery provisions of the FCPA regarding any proposed business conduct. The details of the opinion procedure are available on DOJ's Fraud Section Website at www.justice.gov/criminal/fraud/fcpa. Although the Department of Commerce has no enforcement role with respect to the FCPA, it supplies general guidance to U.S. exporters who have questions about the FCPA and about international developments concerning the FCPA. For further information, see the Office of the Chief Counsel for International Counsel, U.S. Department of Commerce, Website, at http://www.ogc.doc.gov/trans_anti_bribery.html. More general information on the FCPA is available at the Websites listed below.

Exporters and investors should be aware that generally all countries prohibit the bribery of their public officials, and prohibit their officials from soliciting bribes under domestic laws. Most countries are required to criminalize such bribery and other acts of corruption by virtue of being parties to various international conventions discussed above.

Bangladesh has made some progress in reducing corruption during the last decade, but it remains a serious impediment to investment and economic growth in Bangladesh. While the Government has established legislation to combat bribery, embezzlement and other forms of corruption, enforcement is inconsistent. The Anti-Corruption Commission (ACC) is the main institutional anti-corruption watchdog. The current Awami League-led government has publicly underscored its commitment to anti-corruption efforts and reaffirmed the need for a strong ACC. However, efforts to ease public procurement rules and proposals to curb the independence of the ACC may undermine institutional safeguards against corruption. Bangladesh is a party to the UN Anticorruption Convention, but has still not joined the OECD Convention on Combating Bribery of Public Officials.

Corruption is common in public procurement, tax and customs collection, and regulatory authorities. Corruption, including bribery, raises the costs and risks of doing business. By some estimates, off-the-record payments by firms may result in an annual reduction of 2–3 percent of GDP. Corruption has a corrosive impact on the broader business climate market and opportunities for U.S. companies in Bangladesh. It also deters investment, stifles economic growth and development, distorts prices, and undermines the rule of law.

Anti-Corruption Resources

Some useful resources for individuals and companies regarding combating corruption in global markets include the following:

- Information about the U.S. Foreign Corrupt Practices Act (FCPA), including a “Lay-Person’s Guide to the FCPA” is available at the U.S. Department of Justice’s Website at: <http://www.justice.gov/criminal/fraud/fcpa>.
- Information about the OECD Anti-bribery Convention including links to national implementing legislation and country monitoring reports is available at: http://www.oecd.org/department/0,3355,en_2649_34859_1_1_1_1_1,00.html. See also new Anti-bribery Recommendation and Good Practice Guidance Annex for companies: <http://www.oecd.org/dataoecd/11/40/44176910.pdf>.
- General information about anticorruption initiatives, such as the OECD Convention and the FCPA, including translations of the statute into several languages, is available at the Department of Commerce Office of the Chief Counsel for International Commerce Website: http://www.ogc.doc.gov/trans_anti_bribery.html.
- Transparency International (TI) publishes an annual Corruption Perceptions Index (CPI). The CPI measures the perceived level of public-sector corruption in 180 countries and territories around the world. The CPI is available at: http://www.transparency.org/policy_research/surveys_indices/cpi/2009. TI also publishes an annual *Global Corruption Report* which provides a systematic evaluation of the state of corruption around the world. It includes an in-depth analysis of a focal theme, a series of country reports that document major corruption related events and developments from all continents and an overview of the latest research findings on anti-corruption diagnostics and tools. See <http://www.transparency.org/publications/gcr>.
- The World Bank Institute publishes Worldwide Governance Indicators (WGI). These indicators assess six dimensions of governance in 213 countries, including Voice and Accountability, Political Stability and Absence of Violence, Government Effectiveness, Regulatory Quality, Rule of Law and Control of Corruption. See <http://info.worldbank.org/governance/wgi/index.asp>. The World Bank Business Environment and Enterprise Performance Surveys may also be of interest and are available at: <http://data.worldbank.org/data-catalog/BEEPS>.
- The World Economic Forum publishes the *Global Enabling Trade Report*, which presents the rankings of the Enabling Trade Index, and includes an assessment of the transparency of border administration (focused on bribe payments and corruption) and a separate segment on corruption and the regulatory environment. See <http://www.weforum.org/s?s=global+enabling+trade+report>.
- Additional country information related to corruption can be found in the U.S. State Department’s annual *Human Rights Report* available at <http://www.state.gov/g/drl/rls/hrrpt/>.

- Global Integrity, a nonprofit organization, publishes its annual *Global Integrity Report*, which provides indicators for 106 countries with respect to governance and anti-corruption. The report highlights the strengths and weaknesses of national level anti-corruption systems. The report is available at: <http://report.globalintegrity.org/>.

Bilateral Investment Agreements

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The U.S.-Bangladesh Bilateral Investment Treaty, signed on March 12, 1986, entered into force on July 23, 1989. Bangladesh has also signed investment treaties with a number of other countries. The Foreign Investment Act includes a guarantee of national treatment.

A bilateral treaty between the United States and Bangladesh for the avoidance of double taxation was signed on September 26, 2004 and ratified by the United States on March 31, 2006. The parties exchanged Instruments of ratification on August 7, 2006. The treaty has been effective for most taxpayers beginning in the 2007 tax year.

On June 27, 2013, President Obama announced his decision to suspend Bangladesh's trade benefits under the Generalized System of Preferences (GSP) in view of insufficient progress by the Government of Bangladesh in affording Bangladeshi workers internationally recognized worker rights. At the time of the announcement, the Administration provided the Government of Bangladesh with a 16-point action plan outlining next steps in a longstanding effort to address in a meaningful way worker safety problems in Bangladesh – the severity of which were exemplified in the tragedies of the November 2012 Tazreen Fashions factory fire and the April 2013 Rana Plaza building collapse – and, more broadly, the ability of Bangladeshi workers to exercise their full range of labor rights. If implemented, the plan would provide a basis for the President to consider reinstating GSP trade benefits; it would also drive transformation of the Bangladeshi apparel sector by bringing it to international standards in terms of fire safety, factory structural soundness, and respect for labor rights.

The United States also associated itself with the July 8, 2013 European Union (EU)-Bangladesh-International Labor Organization (ILO) *Sustainability Compact for continuous improvements in labor rights and factory safety in the ready-made garment and knitwear industry in Bangladesh* (Compact). The United States works as a full partner with the EU, Bangladesh, and the ILO to implement the goals of the Compact, many of which are broadly consistent with the GSP Action Plan.

On November 25, 2013, the U.S.-Bangladesh Trade and Investment Cooperation Forum Agreement (TICFA) was signed in Washington, D.C. The agreement provides a mechanism for both countries to meet regularly and identify obstacles to increasing bilateral trade and investment and how to overcome those obstacles. The successful inaugural TICFA Council meeting was held in Dhaka on April 28, 2014.

Bangladesh has successfully negotiated several regional trade and economic agreements, including the South Asian Free Trade Area (SAFTA), the Asia-Pacific Trade Agreement (APTA), and the Bay of Bengal Initiative for Multi-Sectoral, Technical and Economic Cooperation (BIMSTEC). Bangladesh has taken steps to strengthen bilateral economic relations with India by reducing trade barriers and improving connectivity. Bangladesh gained duty free access to India via regional not bilateral trade agreements.

The first is the South Asian Association for Regional Cooperation (SAARC) Preferential Trading Arrangement (SAPTA) which was signed in April 1993, operationalized in December 1995 that gives limited preferential market access to exports of member countries. The second is the South Asian Free Trade Area (SAFTA) which was signed in January 2004 in Islamabad and entered into force from January 2006. Tariff reduction under SAFTA started from July 2006. Under these two agreements, Bangladesh can export duty free to India except alcohol, tobacco, RMG and a limited number of other products from a 'sensitive list.' As a founding member of the World Trade Organization (WTO) and as a least-developed country (LDC), Bangladesh has been an active advocate for LDC interests in WTO negotiations.

OPIC and Other Investment Insurance Programs

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The U.S. Overseas Private Investment Corporation (OPIC) provides insurance coverage for some U.S. firms currently doing business in Bangladesh. OPIC and the Government of Bangladesh signed an updated bilateral agreement in May 1998. More information on OPIC services can be found on www.opic.gov. Bangladesh is a member of the Multilateral Investment Guarantee Agency.

The Export-Import Bank (EXIM) of the United States provides U.S. export-oriented risk protection and financing for some U.S. firms exporting to Bangladesh. In 2013, EXIM maintained \$240,590,228 in exposure related to Bangladesh

Labor

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Bangladesh has a population of over 155 million people and a labor force of 57 million people, including 2.5 million union members, with over 60 percent working in the agricultural sector, roughly 10 percent in industry, and the remaining in the services sector. Low official unemployment statistics obscure a huge and growing under-employment problem in Bangladesh. Bangladesh's comparative advantage in cheap labor for manufacturing is partially offset by low productivity due to low skills, poor management, and inefficient infrastructure and machinery, as well as rising minimum wage rates, particularly in the garment sector.

Bangladesh has labor laws that specify employment conditions, working hours, minimum wage levels, leave policies, health and sanitary conditions, and compensation for injured workers. Freedom of association and the right to join unions are guaranteed in the constitution. In practice, compliance and enforcement of labor laws are inconsistent, and companies frequently discourage the formation of active labor unions. Historically, unions are heavily politicized, and labor-management relations are often contentious, particularly in the ready-made garment (RMG) sector which registered over 100 new unions in 2013.

In July 2004, the Bangladesh parliament enacted a law granting limited freedom of association in the export processing zones. Workers of the industrial units are allowed to form a welfare council to develop and grow into organizations, defending their welfare through collective bargaining, according to the law which was renewed and updated in 2010. These special labor provisions for export processing zones were due to expire in 2013, but remain in force. Employers are required to form worker welfare councils once the workers apply for such formation. However, some restrictions related to strikes

expired in 2013. For industries outside of EPZs the Labor Act, 2006 provides similar rights to form labor union by the workers. The implementation of worker welfare councils in the export processing zones is uneven with many larger factories ignoring the provision altogether. Labor disputes do not necessarily need to be heard before a court. Many companies have found it effective to resolve issues before a Labor Tribunal.

The ILO also launched in October 2013 a US\$24.2 million, a three-and-a-half year program to support implementation of Bangladesh's National Tripartite Plan of action on fire safety and structural integrity in the ready-made garment (RMG) sector. Key elements are already being implemented, including building and fire safety assessments; labour inspection reforms; and occupational safety and health, rehabilitation and skills training. The ILO, in partnership with the International Finance Corporation (IFC), also initiated the largest ever Better Work program in Bangladesh in an effort to improve labor standards. Better Work will provide assessments of factory compliance with national law and core international labor standards, paired with transparent public reporting on findings. The program will also provide advisory services to factories, concentrating on building worker/management dialogue to improve working conditions and competitiveness, and engage with national partners to promote sectoral changes, including effective industrial relations.

Child Labor

Bangladeshi law sets a minimum age of 14 for employment and 18 for hazardous work. Numerous laws prohibit child labor in certain sectors, ranging from transport workers to tea plantation labor, but these have not been consistently applied to informal sectors, such as agriculture and domestic work, where the majority of children are employed. As a result, child labor in Bangladesh has historically been a problem. On July 4, 1995, Bangladesh's garment exporters association signed a memorandum of understanding (MOU) with the United Nations Children's Fund (UNICEF) and the ILO under which child laborers were removed from EPZ textile factories and enrolled in education programs. ILO-assisted monitoring teams, which found child laborers in 43 percent of EPZ factories in 1996, found them in fewer than 5 percent in 2001. The MOU program has been phased out, and the U.S. Embassy considers the project a success, with most child labor now eradicated from the EPZs, and from the garment sector in general. Child labor laws are not effectively enforced outside of the EPZs, particularly in the informal sector that employs 80 percent of the workforce. Bangladesh, however, is working to improve compliance with ILO conventions on child labor.

Foreign-Trade Zones/Free Ports

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Under the Bangladesh Export Processing Zones Authority Act of 1980, the government established an EPZ in Chittagong in 1983. Additional EPZs now operate in Dhaka (Savar), Mongla, Ishwardi, Comilla, Uttara, Karnaphuli (Chittagong) and Adamjee (Dhaka). Korean investors are developing a private EPZ in Chittagong. Investments that are wholly foreign-owned, joint ventures and wholly Bangladeshi-owned companies are all permitted to operate and enjoy equal treatment in the EPZs. Approximately a dozen U.S. firms -- mostly textile producers -- are currently operating in Bangladesh EPZs, and U.S. garment sector buyers source heavily from EPZs. Investors are generally satisfied with the operation of Bangladesh's EPZs, which have played a significant role in the success of Bangladesh's RMG industry.

In 2010, Bangladesh enacted a Special Economic Zone Law that allows the creation of privately-owned special economic zones (SEZs) that can produce for export and domestic markets. The IFC is assisting the government to establish a SEZ authority, Bangladesh Economic Zones Authority (BEZA), modeled after BEPZA, to implement the new law and oversee the establishment of SEZs. The Bangladesh Economic Zones Act 2010 is still in place. On 18 April 2012 the BEZA Governing Board decided to establish five economic zones in the country:

1. Mongla, Bagerhat (http://www.beza.gov.bd/mongla_khulna.php)
2. Sirajganj, Rajshahi (http://www.beza.gov.bd/sirajganj_rajshahi.php)
3. Anowara, Chittagong (http://www.beza.gov.bd/anwara_chittagong.php)
4. Mirershorai, Chittagong (http://www.beza.gov.bd/mirershorai_chittagong.php)
5. Maulvibazar, Sylhet (http://www.beza.gov.bd/moulvibazar_sylhet.php)

Foreign Direct Investment Statistics

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According to the United Nations Conference on Trade and Development (UNCTAD) World Investment Report 2013, FDI inflows to Bangladesh decreased by 13 percent to just under \$1 billion. Nonetheless, Bangladesh remained the third largest recipient of FDI in the region, after India and the Islamic Republic of Iran. Outward FDI flows stood at \$53 million, approximately 76 percent more than that of 2012. Major sources of investment include the United States, the United Kingdom, South Korea, Japan, Norway and India.

TABLE 2: Key Macroeconomic data, U.S. FDI in host country/economy

| Economic Data | Host Country Statistical source* | | USG or international statistical source | | USG or international Source of data (Source of Data: BEA; IMF; Eurostat; UNCTAD, Other) |
|--|----------------------------------|--------|---|--------|--|
| | Year | Amount | Year | Amount | |
| Host Country Gross Domestic Product (GDP) (<i>Millions U.S. Dollars</i>) | 2012 | 11,579 | 2012 | 11,640 | http://www.worldbank.org/en/country |
| Foreign Direct Investment | Host Country Statistical source* | | USG or international statistical source | | USG or international Source of data: BEA; IMF; Eurostat; UNCTAD, Other |

| | | | | | |
|---|------|--------|------|-----|--|
| U.S. FDI in partner country (<i>Millions U.S. Dollars, stock positions</i>) | 2013 | 551.43 | 2012 | 368 | <ul style="list-style-type: none"> • http://www.bea.gov • By Country only (all countries) (Millions of Dollars) |
| Host country's FDI in the United States (<i>Millions U.S. Dollars, stock positions</i>) | N/A | N/A | 2012 | 5 | <ul style="list-style-type: none"> • http://www.bea.gov • By Country only (all countries) (Millions of Dollars) |
| Total inbound stock of FDI as % host GDP (<i>calculate</i>) | 2012 | 6.5 | 2012 | 6.5 | <ul style="list-style-type: none"> • UNCTAD World Investment Report 2013 |

* http://www.mof.gov.bd/en/budget/13_14/ber/en/chapter-2_en.pdf

* www.bangladesh-bank.org

* <http://www.mincom.gov.bd>

TABLE 3: Sources and Destination of FDI
(US Dollars, Millions)

| From Top Five Sources/Destinations of FDI | | | | | |
|---|-------|------|---------------------------|----|------|
| Inward Direct Investment | | | Outward Direct Investment | | |
| Total Inward | 8,063 | 100% | Total Outward | 90 | 100% |
| United Kingdom | 886 | 11% | United Kingdom | 26 | 28% |
| Australia | 877 | 11% | United Arab Emirates | 21 | 23% |
| United States | 702 | 9% | India | 12 | 13% |
| Korea, Republic of | 628 | 8% | Sri Lanka | 9 | 10% |
| Netherlands | 516 | 6% | Nepal | 6 | 7% |

"0" reflects amounts rounded to +/- USD 500,000.

Source: <http://cds.imf.org/>

Contact Point at Post

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Etienne LeBailly

Economic & Commercial Officer

Embassy of the United States of America, Madani Avenue, Baridhara, Dhaka – 1212

Tel: +880 2 885 5500

Email: LeBaillyES@state.gov

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Chapter 7: Trade and Project Financing

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- [How Does the Banking System Operate](#)
- [Foreign-Exchange Controls](#)
- [U.S. Banks and Local Correspondent Banks](#)
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How Do I Get Paid (Methods of Payment)

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Unless the importer is a multinational company operating in Bangladesh or a reliable, long-standing Bangladeshi customer, the Embassy strongly recommends all U.S. exporters require their local buyers to present irrevocable, confirmed letters of credit to secure payment, preferably from a U.S. bank. This is true whether the importer is a private firm or part of the government and whether or not the importer is being financed by a multilateral institution or bilateral donor agency or government. U.S. exporters should also be aware that it is a normal business practice for government procurement agencies to require exporters to post performance bonds. Performance bonds can be arranged with a bank operating in Bangladesh, including several international banks.

How Does the Banking System Operate

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The banking sector in Bangladesh started with six nationalized commercialized banks, two State-owned specialized banks, and three foreign banks. Throughout the 1980s a number of private banks entered the sector private banks. Bangladesh has two primarily types of banks:

- **Scheduled Banks:** The banks which are licensed to operate under Bank Company Act, 1991 (Amended in 2003) are termed as Scheduled Banks.
- **Non-Scheduled Banks:** The banks which are established for special and definite objectives and operate under the acts that are enacted for meeting up those objectives, are termed as Non-Scheduled Banks. These banks cannot perform all the functions of scheduled banks.

There are 56 scheduled banks in Bangladesh who operate under full control and supervision of Bangladesh Bank, the Central Bank, which is empowered to do so through Bangladesh Bank Order, 1972 and Bank Company Act, 1991. Scheduled Banks are classified into following types:

- **State Owned Commercial Banks (SOCBs):** There are four SOCBs which are fully or majority-owned by the Government of Bangladesh.

- Specialized Banks (SDBs): Four specialized banks were established for specific objectives including agricultural or industrial development. These banks are also fully or majority-owned by the Government of Bangladesh.
- Private Commercial Banks (PCBs): There are 39 private commercial banks which are majority-owned by the private entities. PCBs can be categorized into two groups:
 - Conventional PCBs: 31 conventional PCBs perform conventional banking operations involving interest.
 - Islamic Shariah based PCBs: There are eight Islamic Shariah based PCBs in Bangladesh, and they execute banking activities according to Islamic Shariah-based principles, i.e. Profit-Loss Sharing (PLS) mode.
- Foreign Commercial Banks (FCBs): Nine FCBs operate in Bangladesh as the branches of the banks which are incorporated abroad.

There are now four non-scheduled banks in Bangladesh which are:

- Ansar VDP Unnayan Bank,
- Karmashangosthan Bank,
- Probashi Kollyan Bank,
- Jubilee Bank

Currently, there are 31 Non-Bank Financial Institutions (NBFIs), which are regulated under Financial Institution Act, 1993 and controlled by Bangladesh Bank. Out of the total, two are fully government-owned, one is the subsidiary of an SOCB, 13 were initiated by private domestic initiatives, and 15 were initiated by joint venture initiatives.

Government-owned or controlled banks tend to have weak financial soundness due to historic patterns of directed lending to money-losing state-owned enterprises and to unsecured private borrowers without sufficient due diligence, resulting in high percentages of non-performing loans..

Bangladesh Bank regulates all banking institutions with influence from the Ministry of Finance. The Bangladesh Bank Governor and other senior officials are appointed by the Prime Minister and coordinate monetary policy and banking regulations with the Finance Ministry and other Executive Branch Ministries. The central bank has taken several steps to improve bank oversight, including expanded use of core-risk analysis in its bank audits and establishment of an anti-money laundering unit.

Foreign-Exchange Controls

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The Bangladesh Bank maintains an approval process for foreign currency transfers, including transfers relating to trade and investment transactions. While the approval process can be cumbersome, currency convertibility has historically not been a major impediment to trade and investment. In 2011, balance of payments deficits contributed to temporary foreign currency shortages that delayed some import transactions, but strong remittances helped restore a balance of payments surplus in 2012, and balance

of payments was not an issue in 2013.

U.S. Banks and Local Correspondent Banks

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All scheduled banks have arrangements with U.S. correspondent banks for their U.S. dollar clearing requirements. Additional information is available from the U.S. Embassy's Trade Center: phone: 880-2-885-5500; email: ustc-dhaka@state.gov.

Project Financing

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The government procurement market encompasses a wide range of projects that are usually financed by donors, although from time to time the government may finance its own projects or ask bidders to propose financing. The U.S. Agency for International Development (USAID), the Japanese government's development aid program (JICA), the World Bank, and the Asian Development Bank (ADB) are important sources of development project financing in Bangladesh.

The U.S. Foreign Commercial Services maintains liaison offices at the World Bank and the ADB to assist U.S. suppliers and consultants in competing for projects and activities funded by these organizations. The commercial liaison office works closely with ADB's U.S. Executive Director who represents the U.S. on the bank's board of directors.

Web Resources

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Export-Import Bank of the United States: <http://www.exim.gov>

Country Limitation Schedule: http://www.exim.gov/tools/country/country_limits.html

OPIC: <http://www.opic.gov>

Trade and Development Agency: <http://www.tda.gov/>

SBA's Office of International Trade: <http://www.sba.gov/oit/>

USDA Commodity Credit Corporation: <http://www.fsa.usda.gov/cc/default.htm>

U.S. Agency for International Development: <http://www.usaid.gov>

Bangladesh Government Web Portal: www.bangladeshgov.org/

Asian Development Bank: www.adb.org

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Chapter 8: Business Travel

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Business Customs

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Personal contact is an important element in building business relationships in Bangladesh. Bangladeshi business executives are usually very courteous, and try to make their foreign guests feel at ease. Business visitors should be aware that in Bangladesh, men and women do not usually shake hands with each other, and may avoid doing so with a visitor of the opposite sex. Foreign visitors often find that hosting meals for their Bangladeshi agents or business contacts helps to smooth business negotiations. Visitors may also be invited to share meals as guests of their Bangladeshi hosts. Attire for social functions is often "informal," meaning business attire as opposed to formal wear. Women should dress conservatively but are not expected to cover their heads. While meetings generally start on time, conferences and social functions often start significantly later than their announced time.

Travel Advisory

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Updated travel advisory information on Bangladesh is available from the State Department's Bureau of Consular Affairs in several formats. For recorded information, call (202) 647-5225. For information by fax, call (202) 647-3000. Travel advisory information for Bangladesh can also be found on the U.S. Embassy website:
http://dhaka.usembassy.gov/acs_tips_travelers.html
<http://dhaka.usembassy.gov/msg-for-us-citizens.html>

For further details on entry requirements for Bangladesh, travelers can contact:

[Bangladesh Embassy in Washington: http://www.bdembassyusa.org/](http://www.bdembassyusa.org/) 3510 International Drive Washington, D.C. 20008 Telephone: (202) 244-0183, fax: (202) 244-5366

[Consulate General of the People's Republic of Bangladesh, New York](#) 211 East 43rd St., Suite 502 New York, NY 10017 Telephone: (212) 599-6767/599-6850, fax (212) 682-9211

[Consulate General of the People's Republic of Bangladesh, Los Angeles](#)

10850 Wilshire Blvd., Suite 1250 Los Angeles, CA, 90024 Telephone: (310) 441-9399, (310) 441-5983, fax: (310) 441-4458.

Foreign nationals staying on regular or temporary visits longer than 90 days are required to show a Submission of Income Tax Clearance Certificate or Income Tax Exemption Certificate when departing Bangladesh. For additional information on these forms, travelers may contact:

[National Board of Revenue \(NBR\): \[www.nbr-bd.org\]\(http://www.nbr-bd.org\)](#)

Rajasha Bhaban, Segunbagicha Dhaka Telephone: +880-2 933-3444.

The International Certificate of Vaccination is no longer required for travel to Bangladesh, but typhoid and hepatitis immunizations are required. Malaria suppressants are recommended for those traveling outside Dhaka.

Visa Requirements

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Travelers are encouraged to contact the Bangladesh Embassy in Washington or the nearest Bangladesh consulate to obtain a visa before traveling to Bangladesh. Travelers can also apply for visas upon arrival, but the rules and fees governing visas on arrival are subject to change. For visa extensions, travelers may contact the Department of Immigration and Passport Office, Agargaon, Sher-e-Bangla Nagar, Dhaka, telephone (880-2) 911-3318, fax: (880-2) 912-3399. Generally, extensions are granted for 3-6 months (short-term) with a single entry. A one year or more (long-term) extension for an expatriate working on a government project may require a letter from the relevant ministry and a security clearance from the Home Ministry through the related ministry, along with the prescribed visa extension application form. This process can be long and complicated. Travelers expecting to visit Bangladesh for extended periods are recommended to apply for a long-term multiple entry visa from a Bangladeshi embassy or consulate in the U.S.

U.S. Companies that require travel of foreign businesspersons to the United States should be advised that security evaluations are handled via an interagency process. Visa applicants should go to the following links.

State Department Visa Website: <http://travel.state.gov/visa/>

United States Visas.gov: <http://www.unitedstatesvisas.gov/>

Embassy Dhaka's Consular Section: http://dhaka.usembassy.gov/visa_services.html

Telecommunications

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Bangladesh has made steady progress in developing telecommunications services, particularly mobile telephone and internet services. While the government-run telephone service has been slow to expand land lines, six mobile phone operators have rapidly expanded mobile phone networks to cover nearly 100 percent of Bangladesh territory. At the same time, mobile phone providers expanded their subscriber base from less than 1 million subscribers in 2001 to more than 110 million subscribers by the end of 2013, with a growth rate of 17.1%. In FY 2012-13 the contribution of telecom industry to

country's GDP was over 3.1% compared to 0.8% in India, Pakistan and Indonesia; 1% Sri Lanka and 1.8 % in Malaysia and Thailand.

The expansion of mobile networks has also contributed to the increase in internet connectivity in Bangladesh. As a growing number of internet service providers have offered broadband internet connections through DSL, fiber optic and WIMAX connections, mobile phone operators offer more limited connectivity through over a wider area through mobile phone networks. Bangladesh relies on the SEA-ME-WE-4 submarine fiber-optic cable system for international connectivity and the Government is seeking to expand broadband connectivity through additional connections.

Transportation

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Bangladesh's main international airport, Shahjalal International Airport, is located at Kurmitola, about 12 kilometers north of Dhaka city. The national air carrier, Biman Airlines, is the major domestic carrier. Private airlines GMG, Regent and United Airways have flights from Dhaka to Chittagong, Cox's Bazaar, Jessore, and Sylhet. GMG and United have also offered international routes to Kolkata, New Delhi, Bangkok, Kathmandu, Kuala Lumpur, Singapore, Dubai and London. Public transportation is limited in Dhaka but business travelers can use rental car services and hotel transportation in Dhaka and other metropolitan areas.

Language

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Although Bangla (Bengali) is the official language of Bangladesh, English is widely spoken and used in official and business circles. U.S. business people may greet their Bangladeshi counterparts with normal English salutations. The usual greeting among Bangladeshis is the Arabic phrase "as-salaam-alaikum" (meaning "peace be with you"). The cordial response is "walaikum salaam" ("peace to you as well"). A polite parting phrase is "Khoda haafez" ("God preserve").

Health

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Visitors should exercise care in what they eat and drink since water-borne intestinal illnesses are common in Bangladesh. Travelers are advised to drink bottled/boiled water and eat only fruits and vegetables that have been cooked or peeled. Undercooked meat should be avoided. Travelers should also avoid eating uncooked dairy products and food sold on the streets. There are periodic outbreaks of dengue fever, which is transmitted by a day-biting mosquito. Travelers may bring insect repellent as a precautionary measure. Visitors who take medication on a regular basis should bring enough for the duration of their visit. It is not always possible to find equivalents for American prescriptions on the local market. In general, local medical facilities are substandard, except for a few outpatient clinics. Some modern hospital facilities Apollo Hospital, Square Hospital and United Hospital opened since 2005. Travelers are strongly encouraged to obtain medical insurance including medevac insurance before traveling to Bangladesh.

Local Time, Business Hours, and Holidays

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Bangladesh observes a Sunday-Thursday workweek. Business hours are 9:00 am – 5:00 pm. The Embassy observes a two-day weekend (Friday and Saturday). Muslim religious holidays vary with the appearance of the moon.

Local & American holidays will be observed by the U.S. Embassy in 2014 are as follows:

| HOLIDAYS DATES | | MISSION CLOSED | |
|-------------------------------|-------------|-----------------------|-----------|
| New Year's Day | American | January 1 | Wednesday |
| Martin Luther King's Birthday | American | January 19 | Sunday+ |
| President's Day | American | February 16 | Sunday+ |
| Independence Day (Bangladesh) | Bangladeshi | March 26 | Wednesday |
| Bengali New Year | Bangladeshi | April 14 | Monday |
| May Day | Bangladeshi | May 1 | Thursday |
| Buddha Purnima# | Bangladeshi | May 13 | Tuesday# |
| Memorial Day | American | May 25 | Sunday+ |
| Independence Day (U.S.) | American | July 3 | Thursday |
| Eid~ul~Fitr* | Bangladeshi | July 29 & 30 | Tuesday & |
| Wednesday* | | | |
| Janmashtami# | Bangladeshi | August 17 | Sunday# |
| Labor Day | American | August 31 | Sunday+ |
| Eid~ul~Azha* | Bangladeshi | October 5 & 6 | Sunday & |
| | Monday* | | |
| Columbus Day | American | October 12 | Sunday+ |
| Veterans Day | American | November 11 | Tuesday |
| Thanksgiving Day | American | November 27 | Thursday |
| Victory Day | Bangladeshi | December 16 | Tuesday |
| Christmas Day | American | December 25 | Thursday+ |

There are additional local holidays that are not observed by the Embassy.

Temporary Entry of Materials and Personal Belongings

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Agents and representatives of foreign manufacturers are allowed to import machinery and equipment from their principals for purposes of demonstration or exhibition, subject to the following conditions:

- The goods brought into Bangladesh will be re-exported within a period of one year
- The importer shall execute a bond and furnish a bank guarantee or understanding or a legal instrument to the satisfaction of Customs at the time of clearance indicating that the goods will be re-exported in a timely manner
- If the goods include any banned or restricted items, prior permission is required from the Chief Controller of Imports and Exports Equipment or machinery imported on a temporary basis is exempt from duty if the importer obtains an import/export permit.

Web Resources

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[American Chamber of Commerce in Bangladesh \(AmCham\)](#)

[Bangladesh Export Processing Zones Authority \(BEPZA\)](#)
[Bangladesh Government Portal](#)
[Board of Investment](#)
[Business Info Bangladesh](#)
[Central Bank of Bangladesh](#)
[Dhaka Chamber of Commerce & Industry](#)
[Bangladesh Chamber of Industry \(BCI\)](#)
[Foreign Investors' Chambers of Commerce & Industry \(FICCI\)](#)
[Export Promotion Bureau](#)
[Federation of Bangladesh Chamber of Commerce & Industry \(FBCCI\)](#)
[Metropolitan Chamber of Commerce and Industry \(MCCI\)](#)
[National Board of Revenue](#)
[Securities & Exchange Commission](#)

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Chapter 9: Contacts, Market Research and Trade Events

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- [Market Research](#)
- [Trade Events](#)

Contacts

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Business Chambers

[American Chamber of Commerce in Bangladesh \(AmCham\)](#)

[Dhaka Chamber of Commerce & Industry](#)

[Bangladesh Chamber of Industry \(BCI\)](#)

[Foreign Investors' Chambers of Commerce & Industry \(FICCI\)](#)

[Federation of Bangladesh Chamber of Commerce & Industry \(FBCCI\)](#)

[Metropolitan Chamber of Commerce and Industry \(MCCI\)](#)

Bangladesh Government Offices

[Bangladesh Government Portal](#)

[Bangladesh Export Processing Zones Authority \(BEPZA\)](#)

[Board of Investment](#)

[Bangladesh Bank \(the Central Bank\)](#)

[Export Promotion Bureau](#)

[National Board of Revenue](#)

[Securities & Exchange Commission](#)

U.S. Trade Center at the U.S. Embassy in Dhaka:

U.S. Embassy Phone Number: +880-2-885-5500 ext. 2712

U.S. Embassy Fax Number: +880-2-882-3744, 988-7826

U.S. Embassy Website: [US Embassy - Bangladesh](#)

U.S. Trade Center Email Address: [US Trade Center - Dhaka](#)

Market Research

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To view market research reports produced by the U.S. Commercial Service please go to the following website: <http://www.export.gov/mrktresearch/index.asp> and click on Country and Industry Market Reports.

Please note that these reports are only available to U.S. citizens and U.S. companies. Registration to the site is required, and is free.

Trade Events

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Please click on the link below for information on upcoming trade events.

<http://www.export.gov/tradeevents/index.asp>
Export.Gov -Trade Events US Embassy Dhaka -Trade

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Chapter 10: Guide to Our Services

The President's National Export Initiative marshals Federal agencies to **prepare U.S. companies to export successfully, connect them with trade opportunities** and **support them once they do have exporting opportunities**.

The U.S. Commercial Service offers customized solutions to help U.S. exporters, particularly small and medium sized businesses, successfully expand exports to new markets. Our global network of trade specialists will work one-on-one with you through every step of the exporting process, helping you to:

- Target the best markets with our world-class research
- Promote your products and services to qualified buyers
- Meet the best distributors and agents for your products and services
- Overcome potential challenges or trade barriers
- Gain access to the full range of U.S. government trade promotion agencies and their services, including export training and potential trade financing sources

To learn more about the Federal Government's trade promotion resources for new and experienced exporters, please click on the following link: www.export.gov

For more information on the services the U.S. Commercial Service offers to U.S. exporters, please click on the following link: (Insert link to Products and Services section of local buyusa.gov website here.)

U.S. exporters seeking general export information/assistance or country-specific commercial information can also contact the **U.S. Department of Commerce's Trade Information Center** at **(800) USA-TRAD(E)**.

To the best of our knowledge, the information contained in this report is accurate as of the date published. However, **The Department of Commerce** does not take responsibility for actions readers may take based on the information contained herein. Readers should always conduct their own due diligence before entering into business ventures or other commercial arrangements. **The Department of Commerce** can assist companies in these endeavors.

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