

Reference

On temporary import/export of exhibition materials and scientific samples in Russian Federation

In accordance with Article 203 of Customs Code of Customs Union (hereinafter referred to as CC CU), the goods transported through the customs border are placed (upon person's choice) under a certain customs procedure, in the order and in line with conditions envisaged by the CC CU and the legislations of the Customs Union member-states. The person has a right to change a chosen procedure to another one in line with CC CU.

2. Pursuant to the international practice, the goods aimed for exhibitions and other similar events are imported under the customs procedure of temporary import (admission). In this case, the foreign goods are used during the term (of temporary import) at the territory of customs union with conditional relief from customs duties and taxes (total or partial), non-application of nontariff regulations measures with subsequent re-export.

3. In the light of article 282 of CC CU, the list of goods temporary imported with conditional complete relief from customs duties and taxes and the conditions of the relief, including its limits, are defined by the international agreements of the Customs Union member-states and (or) the decision of the Committee of Customs Union.

4. If the conditional complete relief from customs duties and taxes cannot be applied to goods or the conditions of complete relief from customs duties and taxes, specified in clause 1 of Article 282 CC CU, cannot be fulfilled, partial relief from customs duties and taxes is applied.

5. The list of goods, temporary imported with conditional complete relief from customs duties and taxes and the conditions of the relief, including its limits is approved the decision of the committee of Customs Union № 331 dated 28th June 2010.

6. Clause 4 includes the goods temporary imported for demonstrations at exhibitions, fairs, internationals meets and other similar events (except exhibitions for manufacturing or other commercial activity aimed at selling imported goods) and ancillary equipment for demonstration of goods or if it is to be used at exhibitions, fairs, international meets and other similar events. Temporary import (admission) of scientific and commercial samples is regulated by Article 279 of the Federal Law 311-FZ dated 27.10.2010 on customs regulation in the Russian Federation (hereinafter referred to as FZ) by which the goods imported to the Russian Federation on a temporary basis for tests, study, research, checks, examinations, experiments or demonstrations even if the goods are used in the course of these tests, study, research, checks, examinations, experiments or demonstrations (hereinafter referred to as commercial samples), are subject to customs declaration in simplified manner in line with the provisions of the article.

7. Scientific and commercial samples, temporarily imported to the Russian Federation in the passenger baggage, by express-post as well as scientific and commercial samples, the value of which does not exceed 300 000 rubles, optional to the declarant, may be declared in a simplified manner. In this case the written application of the company importing scientific or commercial samples will be treated as a customs declaration. The form of the application is approved by the order of the FCS RF № 2408 dated 13.12.2010.

8. Research institutions and established by them economic societies have a right to place under the customs procedure of temporary import (admission) scientific or commercial samples. In this case the purpose of goods will be proved by the application of research institution in a free form containing information about scientific or commercial samples and explaining the conditions for transfer of scientific or commercial samples through the customs border of Customs union. The status of a research institution is proved by its constituent documents.

9. Scientific or commercial samples imported (admitted) temporarily will be released within four hours after the submission of customs declaration, provided all necessary documents were submitted, except the cases when certain documents may be produced after the release of goods, as specified in this law.
10. The persons that neither are scientific enterprises nor established by them business companies have a right to place scientific or commercial samples under customs procedure of temporary import (admission) providing a contract with a foreign person as a proof. The contract should contain the purpose of import of scientific or commercial samples, approved plans (programs) for research (if available). Other documents on economic activity of the person, research, tests, examinations, checks, experiments or demonstrations may also be submitted.
11. Similar order for temporary import of scientific or commercial samples is laid down in the Article 283 FZ (federal law).
12. The law of the FCS RF № 1387 dated 29.12.2007 (registered by the ministry of Justice № 8968 dated 20.02.2007) sets forth the competence of the customs bodies of Moscow, Moscow region, St. Petersburg and Leningrad region with regard to the goods for exhibitions, fairs, international meets and other similar events, as well as cultural treasures. The competence of other customs bodies located in other regions of Russian Federation regarding customs operations with similar goods is not limited.
13. If exhibition or advertising materials are to be sold or used they are to be placed under the customs procedure release for internal use, in this case all customs duties and taxes are paid in full amount.
14. According to clause 12 of the Instruction for using transport, commercial and (or) other documents as declarations for goods (approved by decision of Committee of Customs Union № 263 dated 20.06.2010), transport, commercial and (or) other documents accompanied by the list of goods aimed for exhibitions, fairs and declared for temporary import (admission) or temporary export for the period less than one year enjoy conditional complete relief from customs duties and taxes.
15. The list of goods which is submitted along with customs declaration is set by the article 183 of CC CU.
16. You are also informed that the Russian Federation has joined the Carnet ATA (temporary importation) dated 6th December 1961 and the Convention on temporary import dated 26th June 1990 accepting a number of annexures. Thereby, for this category of goods temporary import to the RF territory and re-export from the RF territory may be based on Carnet ATA.
17. The requirements of the Russian customs bodies to the customs clearance of goods on the basis of Carnet ATA are set forth in the FCS order № 895 dated 25.07.2007 “Approved methodological recommendations for ATA Carnet application” which is based on the Convention on temporary import dated 26th June 1990 and the Customs convention on Carnet ATA for temporary importation dated 6th December 1961.
18. In case the conditions of temporary import of goods accompanied by Carnet ATA are met, customs duties for customs clearance of temporarily imported goods are eliminated.
19. Carnets ATA on temporarily imported to the RF territory goods are cleared by the customs bodies appointed by the FCS RF.
20. Currently the list of customs bodies clearing and controlling temporary imported goods based on ATA Carnet is defined by the FCS RF order № 139 dated 25.01.2011 “Approved list of customs bodies authorized to deal with goods transported by Carnet ATA” (registered with the RF Ministry of Justice on 02.06.2011, registration № 20931).

Recommendations for preparing the documents on international postal deliveries sent to the Russian Federation.

The Russian Federation currently observes the trend to the increased number and quantity of international postings which automatically increases the time and impacts the effectiveness of the services provided by the authorized bodies.

2. In order to reduce the time for the customs operations on international postings, the FCS RF recommends the senders of international postings the following.

3. The documents for the international postings used as customs declaration and approved by the acts of the Universal Postal Union (CN 22, CN 23, CP 71 accompanying address, CP 72 manifold set, E1 (if international postings have logotype EMS) must be filled in a legible handwriting or typed. The documents should contain:

- a) Surname, name, patronymic and the address of the sender of the international posting;
- b) Surname, name, patronymic and the address of the addressee of the international posting;
- c) Sending country and the country of destination of the international posting;
- d) description of each item in the international posting, indicating the number of items and the unit of measurement. For example, “a shirt for men – 1 pcs.”, “a dining set for 6 persons – 2 sets” etc.). If the name is generic, for instance, “clothes”, “gifts”, “consumer goods”, “spare parts”, “samples”, “articles of food”, “biologically active supplement”, “household appliances” etc.; if there is no information on the content of the international postal delivery; or if the declared information does not tally with the content of the international postal delivery, more time is spent for customs examination and documenting of the results.
- e) Value of each item and the total value, indicating the currency of valuation (for example, Sw. fr. for Swiss franc).
- f) Gross weight (it is advisable to indicate net weight of each item (kg) and gross weight (kg) at the time of weighing it at the post office).
- g) HS Code, worked out by the WCO (except the cases when the goods international postal deliveries are sent for personal use and addressed to individuals).
- h) Country of origin (except the cases when the goods in international postal deliveries are sent for personal use and addressed to individuals). In this case, country of origin means the country where the goods were made, manufactured or packed.

4. The time for customs clearance of international postal deliveries may be further reduced if the documents are submitted in Russian, English, French or Spanish languages.

5. It should be noted that the goods in international postal deliveries may be banned or prohibited. In this case appropriate permissive documents must be provided to the customs bodies. That is why it is advisable to check if there are any bans or prohibitions with respect to the goods that will be sent as international postal delivery to the Russian Federation.

6. More detailed information on rules for international postal deliveries is available at the web-site of the FCS RF (including banned and prohibited goods) in the section “Information for the participants of the Foreign Economic Activity” => “Information for the participants of the Foreign Economic Activity” => “Transportation of the goods in the for international postal deliveries” or in the section “Information for individuals” => “Postal deliveries”.

Normative legal acts of Customs union setting the requirements for obligatory compliance with veterinary, phytosanitary and sanitary rules.

- 1) The goods subject to veterinary control (supervision).
The Committee of Customs Union approved a single list of goods subject to veterinary control (supervision) by decision № 317 dated 18.06.2010.
- 2) The goods subject to phytosanitary control:
The Committee of Customs Union approved a list of goods liable to quarantine control (cargo, materials, goods) that are subject to phytosanitary control (supervision) at the customs border and the customs territory of Customs union by decision № 318 dated 18.06.2010.
- 3) The goods subject to sanitary and quarantine control:
The Committee of Customs Union approved a list of goods liable to sanitary and epidemiological control (supervision) at the customs border and the customs territory of Customs union by decision № 299 dated 28.05.2010.
- 4) The goods subject to conformity assessment:
The Committee of Customs Union approved a list of goods liable to compulsory conformity assessment in Customs union followed by the issue of single documents by decision № 319 dated 18.06.2010.
Besides, the RF legislation requires application of a Single list of goods for mandatory certification and a Single list of goods for mandatory conformity assessment that is done in the form of a declaration of conformity approved by the decision of the RF Government № 982 dated 01.12.2009.

Normative legal acts of Customs union in the aspect of non-tariff regulation.

1. The decision of intergovernmental board EurAsEC № 19 dated 27.11.2009 “On single non-tariff regulation of customs union of Republic of Belorussia, Republic of Kazakhstan and the Russian Federation”.
2. The decision of Committee of Customs Union № 338 dated 17.08.2010 “On specific features of sending the goods in international postal deliveries”.
3. The Agreement between the Republic of Belorussia, the Republic of Kazakhstan and the Russian Federation dated 18.06.2010 “On rules for transportation of goods by individuals for personal use through the customs border of customs union and carrying out actions for clearing these goods”. (Annexure 2).

Annexure 2

Application

for the simplified declaration of goods by the company-consignee (consignor) of scientific or commercial samples temporarily imported to the Russian Federation (exported from the Russian Federation beyond the borders of the Customs union) (hereinafter referred to as the Application).

Page 1 _____

№ _____

Registration number assigned by the customs body

1. Customs body accepting the declaration _____
2. Customs procedure _____
(name and the code according to the Customs procedures Classifier)
3. Consignor: _____
(indicated for temporarily imported goods: name of the company (consignor), its business entity, taxpayer identification number (INN), code of reason for registration (KPP) and company's address).
4. Consignee: _____
(indicated for temporarily imported goods: name of the company (consignee), its business entity, taxpayer identification number (INN), code of reason for registration (KPP) and company's address).
5. Declarant: _____
(the name of the company (declarant), its business entity, taxpayer identification number (INN), code of reason for registration (KPP) and company's address).
6. Country of destination for temporary imported goods: _____
(short name)
7. Information on submitted documents: _____

(Serial numbers of the documents attached to the application; name, number and date of the document)

8. Information about the declared goods: _____

(the wording: "Goods according to the specification on _____ pages)

Sl	Name of goods (trade,	HS	Number of goods	Value of goods as	Short name of
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№	commercial or other traditional name of the goods, including information about trade marks, make, models, nomenclature articles, standards and similar characteristics)		In the main unit of measurement (kg) pursuant to HS Code	In the additional unit of measurement (kg) pursuant to HS Code <2>	identification code of additional unit of measurement/code of the unit of measurement pursuant to HS Code <3>	per commercial documents	currency/currency code
1	2	3	4	5	6	7	8

9. Total value of declared goods: _____
(in rubles)

10. Information on collection of customs fees for the release of goods: _____

(If customs fees for the release of goods are to be paid, the amount of customs fees has to be indicated as well as type, number and date of the payment document, confirming the payment)

11. Information of the individual who made the application: _____

(Surname, name and patronymic of the person; information on person's ID and authorizing him to submit the documents)

12. Representative of customs: _____

(If the Application is submitted by the customs representative, there should be a name of the organization, the form of its business entity, taxpayer identification number (INN), code of reason for registration (KPP), company's address, number of the document (confirming that the person is included in the register of customs representatives), number and date of the document for concluding the agreement with the declarant).

Date: «__» _____ year.

Signature _____

L.S.

<1> HS Code may contain 6 digits

<2> If the goods are counted in additional unit of measurement as per HS Code, the column for the main unit of measurement may be left blank;

<3> If there is no additional unit of measurement, the code for the additional unit of measurement is not filled in.

<4> Applied at option of the declarant or the customs representative, to indicate other information he thinks is needed for the customs operation.