



On approval of the Agreement on the exchange of information necessary to determine and control the customs value of goods in the member states of the Commonwealth of Independent States

Unofficial translation

Resolution of the Government of the Republic of Kazakhstan of June 22, 2018 No. 371.

Unofficial translation

In accordance with subparagraph 2) of article 15 of the Law of the Republic of Kazakhstan “On international treaties of the Republic of Kazakhstan” dated 30 May 2005, the Government of the Republic of Kazakhstan RESOLVES:

1. To approve the attached Agreement on the exchange of information necessary to determine and control the customs value of goods in the member states of the Commonwealth of Independent States (hereinafter referred to as the Agreement), concluded in Tashkent on November 3, 2017.

2. Determine the State Revenue Committee of the Ministry of Finance of the Republic of Kazakhstan as the authorized body of the Republic of Kazakhstan responsible for the implementation of the Agreement.

3. The Ministry of Foreign Affairs of the Republic of Kazakhstan shall notify the Executive Committee of the Commonwealth of Independent States of the decision.

4. This resolution comes into effect from the date of its signing.

Prime Minister of the Republic of Kazakhstan

B. Sagintayev

Approved
by the Resolution No. 371
of the Government of the
Republic of Kazakhstan
dated June 22, 2018

AGREEMENT

**on the exchange of information necessary to determine and control
the customs value of goods in the member states of the Commonwealth of
Independent States**

Governments of member states of the Commonwealth of Independent States, hereinafter referred to as the Parties,

based on the provisions of the Agreement on Cooperation and Mutual Assistance in Customs Affairs of April 15, 1994,

willing to ensure the effective control of the customs value of goods transported across the customs borders of the CIS member states in order to counter evasion of customs payments,

recognizing the need to exchange information and data in a timely manner, contributing to the improvement of control of the customs value of goods,
agreed on the following:

Article 1

The objectives of this Agreement are cooperation, assistance and mutual assistance between the Parties to ensure the accuracy of the declared customs value of goods transported across the customs borders of the states Parties to this Agreement.

Article 2

The following terms are used in this Agreement:

authorized bodies of the Parties – authorities responsible for the implementation of this Agreement, determined by the Parties;

technical conditions for the exchange of information – document defining the structure, format and composition of information exchanged between the authorized bodies of the Parties, exchange regulations, terms and methods of exchange, as well as entities responsible for preparing, transmitting and receiving information;

customs borders of the states Parties to this Agreement – the boundaries of the customs territories of the states Parties to this Agreement, and for the member states of the Eurasian Economic Union - the boundaries of the customs territory of the Eurasian Economic Union.

Article 3

For the purpose of implementation of this Agreement, each Party determines the authorized body, of which informs the depositary contemporaneously with the notification of the implementation of the internal procedures necessary for its entry into force.

If the name of the authorized body is changed, the Party concerned shall inform the depositary about it, in writing within 30 days.

The depositary informs the governments of the states Parties to this Agreement on the authorized bodies of the Parties in the prescribed manner.

Article 4

Parties on a bilateral basis in accordance with national legislation and international treaties to which their states are parties, exchange information necessary for determining and controlling the customs value of goods through the authorized bodies of the Parties.

Article 5

Under this Agreement, the authorized bodies of the Parties provide each other with information on a regular basis, guided by the annex to this Agreement, from databases of electronic copies of export declarations drawn up at export of goods to the customs territory of another state, with the exception of information of national security information / secrets, as well as information relating to personal data, in accordance with the laws of the states Parties to this Agreement. Information exchange is carried out in respect of export declarations registered by the customs authorities of the states Parties to this Agreement after the entry into force of this Agreement.

Information exchange is free of charge.

Article 6

For implementation of the provisions of this Agreement, the authorized bodies of the Parties bilaterally approve the Technical conditions for the exchange of information, guided by the annex to this Agreement.

Whereas, the composition of data for the exchange of information necessary to determine and control the customs value of the goods specified in the annex to this Agreement can be amended or reduced by mutual consent of the authorized bodies of the Parties.

Information is exchanged in electronic form between the authorized bodies of the Parties after ensuring their technical readiness and notifying each other in writing.

Article 7

The authorized bodies of the Parties exchange information on the legislative and other regulatory legal acts of their states, as well as reference books and classifiers used in filling out the export declaration, and other documents and information concerning the determination and control the customs value of goods.

In implementing the provisions of this Agreement, the authorized bodies of the Parties shall cooperate in order to study the practice of determining and control the customs value of goods.

Article 8

Information obtained by the authorized bodies of the Parties in accordance with this Agreement is confidential and is used exclusively for customs purposes. For other purposes, information may be used only with the prior written consent of the authorized body of the Party that provided this information.

Authorized bodies of the Parties may use the information obtained on the basis of this Agreement as evidence in judicial and administrative proceedings. The use of such information as evidence in judicial bodies and their evidential value are determined in accordance with the legislation of the states Parties to this Agreement.

The Party receiving information transmitted under this Agreement is obliged to ensure its protection in accordance with the legislation of its state.

Article 9

Correspondence on the implementation of the provisions of this Agreement is carried out in Russian language.

Article 10

This Agreement does not affect the rights and obligations of each Party arising for it from other international treaties to which its state is a party.

Article 11

By mutual consent of the Parties, changes may be made to this Agreement, which are an integral part thereof, which are documented by the relevant protocol.

Article 12

Disputes and disagreements related to the application or interpretation of the provisions of this Agreement shall be resolved through consultations and negotiations between the authorized bodies of the Parties concerned.

Article 13

This Agreement shall enter into force upon the expiration of 30 days from the date of receipt by the depositary of the third written notice of the implementation by the Signatories of the internal state procedures required for its entry into force.

For Parties that have completed the internal state procedures later, this Agreement enters into force 30 days after the date of receipt of the relevant notifications by the depositary.

Article 14

This Agreement, after its entry into force, is open for accession by any member state of the Commonwealth of Independent States by transferring to the depositary the instrument of accession.

For the acceding state, this Agreement enters into force 30 days after the date of receipt by the depositary of the instrument of accession.

Article 15

This Agreement is concluded for an indefinite period. Each Party has the right to withdraw from this Agreement by sending a written notification to the depositary about such its intention not later than six months before the withdrawal.

Concluded in the city of Tashkent on November 3, 2017 in one authentic copy in Russian language. The original copy is kept in the CIS Executive Committee, which will send to each state that has signed this Agreement its certified copy.

On behalf of the Government of the Republic of Azerbaijan

On behalf of the Government of the Russian Federation

On behalf of the Government of the Republic of Armenia

On behalf of the Government of the Republic of Tajikistan

On behalf of the Government of the Republic of Belarus

On behalf of the Government of Turkmenistan

On behalf of the Government of the Republic of Kazakhstan

On behalf of the Government of the Republic of Uzbekistan

On behalf of the Government of the Kyrgyz Republic

On behalf of the Government Of Ukraine

On behalf of the Government of the Republic of Moldova

Annex to the
AGREEMENT
on the exchange of information
necessary to determine and control
the customs value of goods in the
member states of the
Commonwealth of Independent
States
dated November 3, 2017

Model scope of information for exchange of information necessary to determine and control the customs value of goods in the member states of the Commonwealth of Independent States

Export declaration registration number;
total number of goods;
total number of packages corresponding to the declared goods and specified in the transport (travel) documents;
code of the declared customs procedure (regime);
code of the previous customs procedure (regime);
code of the country of departure;
country of origin code;
destination country code;
trading country code;
vehicle type code at the border and inside the country (if available);
the number of the vehicle at the border and inside the country (if available);
identification and country of registration of the vehicle upon departure (if any);
sign of container shipment;
currency code of the contract price;
contract price currency rate;
total amount of the account in the currency of the agreement;
item number on the export declaration;
goods code according to the Commodity nomenclature for foreign economic activities;
packages and description of goods from the export declaration;
net weight;
gross weight;
previous document;
the price of the goods;
number and date of the foreign trade contract;
bill number and date (invoice);
the number and date of the international consignment note;
TIR carnet number (if available);
additional unit code;
quantity of goods in an additional unit of measure;
delivery conditions (delivery basis and the name of the geographical location in accordance with the delivery basis) (if available);
statistical value of the goods;

customs value of goods (if available);
release date.

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the Republic of Kazakhstan