

LAW OF UKRAINE

On Export Duty Rates for Scrap of Ferrous and Non-Ferrous Metals and Semi-Finished Products Manufactured with their Use

Article 1. The following export rates shall be approved for scrap of ferrous and non-ferrous metals and semi-finished products with their use:

Goods code according to UCN FEA	Commodity	The year following Ukraine's accession to the WTO	Export duty rate as percentage of customs value
7202 99 80 00	Ferro-chromium- nickel and other ferrous alloys	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7204 21	Waste and scrap of alloy steel and of stainless steel	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7204 29 00 00	Other waste and scrap of alloy steel	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7204 50 10 00	Remelting scrap ingots of alloy steel	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7218 10 00 00	Stainless steel in ingots and other primary forms	1st year	30
		2nd year	27

		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7401	Copper mattes, cement cooper (precipitated copper)	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7402 00 00 00	Unrefined copper, copper anodes for electrolytic refining	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7403 12 00 00	Wire-bars	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7403 13 00 00	Billets of refined copper	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7403 19 00 00	Other refined copper	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7403 21 00 00	Copper-zinc based alloys (brass)	1st year	30
		2nd year	27

		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7403 22 00 00	Copper-tin based alloys (bronze)	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7403 23 00 00	Copper alloys, copper-nickel based alloys (cupro-nickel) or copper-zinc based alloys (nickel silver)	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7403 29 00 00	Other copper alloys (other than master alloys of heading 7405)	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7404 00	Copper waste and scrap	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7405 00 00 00	Master alloys of copper	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7406	Copper powders and flakes	1st year	30
		2nd year	27

		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7414 90 00 00	Grills and netting of copper wires	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7415 29 00 00	Other articles of copper, not threaded (including spring washers)	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7415 39 00 00	Other articles of copper, threaded (except for screws for wood, other screws, bolts and nuts)	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7418 19 00 00	Common articles of copper and parts thereof, other	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7419	Other articles of copper	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7503 00	Nickel waste and scrap	1st year	30
		2nd year	27

		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7602 00	Aluminum waste and scrap	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7802 00 00 00	Lead waste and scrap	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
7902 00 00 00	Zinc waste and scrap	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
8002 00 00 00	Tin waste and scrap	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
8101 91 90 00	Tungsten waste and scrap	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
8105 10 90 00	Cobalt mattes and other intermediate products of cobalt metallurgy; cobalt and articles thereof,	1st year	30
		2nd year	27
		3rd year	24

	including waste and scrap:	4th year	21
	Cobalt mattes and other	5th year	18
	intermediate products of	6th year	15
	cobalt metallurgy;		
	unwrought cobalt; waste		
	and scrap; powders: waste		
	and scrap		
8108 10 90 00	Titanium waste and scrap	1st year	30
		2nd year	27
		3rd year	24
		4th year	21
		5th year	18
		6th year	15
8113 00 40 00	Cermets and articles	1st year	30
	thereof, including waste	2nd year	27
	and scrap	3rd year	24
		4th year	21
		5th year	18
		6th year	15

Article 2. Decisions regarding the declared customs value of articles specified in Article 1 of this Law, shall be passed by the customs bodies according to procedure established by the Cabinet of ministers of Ukraine, taking into account prices determined on the basis of monthly monitoring of prices at the international commodity exchanges (London metal exchange (LME), (New-York Mercantile Exchange (NYMEX))).

The results of monitoring of the prices at international exchanges shall be published monthly by the central executive government agency responsible for economic policy issues.

For purposes of payment of export duty a foreign currency shall be converted into Ukrainian currency on the basis of the official exchange rate of Hryvna to foreign currencies, established by the National Bank of Ukraine on the date of filing a customs declaration.

Export duty shall be paid by entities carrying out foreign economic activities to the budget exclusively in the monetary form either before or at the time of the customs clearance of the articles.

Article 3. As of the date this Law takes effect, the goods specified in Article 1 of this Law shall be excluded from the regime of free-trade with foreign states, of which the foreign states shall be notified by the Cabinet of Ministers of within a month.

Article 4. Final provisions

1. This Law shall take effect on 1 January of the year following the year of Ukraine's accession to the World Trade Organization.

2. The following laws of Ukraine shall be amended:

1) in Article 9 of Law of Ukraine "On scrap metal" (Vidomosty Verkhovnoyi Rady Ukrainy, 1999., No. 25, p. 212; 2003, No. 6, p. 52):

Sections two and five shall be left out;

Section four shall read as follows:

"During five years following the date of enactment of the Law of Ukraine "On the Export Duty Rates for Scrap of Ferrous and Non-Ferrous Metals and Semi-Finished Products Manufactured with their Use", export of products specified in Article 1 of this Law shall be carried out only by the specialized metallurgical enterprises that manufactured these products and provided that they have export quality certificate. Quality management system at these enterprises is required to comply with ISO 9000-2001 standards, confirmed by the relevant certificate of conformity";

2) Section five of Article 5 of Law of Ukraine "On Tolling Operations in Foreign Economic Relations" (Vidomosty Verkhovnoyi Rady Ukrainy, 2002, No.6, p. 40; 2005, No. 17-19, p. 267) shall be supplemented with a paragraph worded as follows:

"Export outside the customs territory of Ukraine of goods specified in Article 1 of the Law of Ukraine "On the Export Duty Rates for Scrap of Ferrous and Non-Ferrous Metals and Semi-Finished Products Manufactured with their Use" as tolling raw materials, shall be carried out on condition of prior payment of the export duty to the budget in the monetary form (promissory notes or other such forms of payments shall not be accepted)".

3. The Cabinet of Ministers of Ukraine shall bring its regulatory and legal instruments into conformity with this Law before this Law takes effect.

President of Ukraine

V. Yushchenko

13 of December 2006 poky

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