

**THE LAW OF THE REPUBLIC OF ARMENIA
ON AMENDMENTS TO CUSTOMS CODE OF THE REPUBLIC OF ARMENIA**

Adopted by the National Assembly on 20 November, 2002

Article 1. “Subparagraph (d) of Article 83 of the Customs Code of the Republic of Armenia shall be amended as follows:

(d) the value, apportioned to the imported goods as appropriate, of the following items directly or indirectly provided by the purchaser to the supplier, without compensation or with partial compensation to the latter for the production and supply of goods transported through the Customs border:

- i) materials, components and other similar items included in the imported goods;
- ii) tools and other similar items used in the production of the imported goods;
- iii) materials consumed in the production of the imported goods;
- iv) engineering, design, planning and other similar services required for production of the imported goods carried out in a country other than the importing country.”

Article 2. “Article 84 of the Customs Code of the Republic of Armenia shall be supplemented with a new section with the following wording:

The costs referred to in subparagraphs (c) and (f) of Article 83 of this Code shall be included in the customs value only to the extent that they have not been included in the transaction price of the goods and they are incurred by the buyer.”

Article 3. “Subparagraph (e) of paragraph 2 of Article 87 of the Customs Code of the Republic of Armenia shall be amended as follows:

(e) the purchaser and the vendor are not related, or if they are related, the relationship between the purchaser and vendor did not influence the price. To determine whether the relationship between the purchaser and vendor influenced the price, the customs administration may examine the circumstances of sale. A review of the relevant circumstances of sale may include an examination of the way in which the vendor and purchaser organize their commercial relations and the way the parties derived the price in the transaction. The customs authorities shall determine that the relationship did not influence the price if the declarant establishes that the price is settled in a manner consistent with normal pricing practices of the industry, with the way the vendor settles prices for sales to an related purchasers, or if the price is adequate to cover all costs plus a profit that is representative of the vendors overall profit in sales of the same class or kind of goods during a representative period of time.

Alternatively, the declarant may show that the relationship between the purchaser and vendor did not influence the price by demonstrating that the transaction value closely approximates one of the following values:"

Article 4. "Subparagraph (h) of paragraph 1 of Article 88 of the Customs Code of the Republic of Armenia shall be amended as follows:

(h) if Customs value calculated on the basis of a related party transaction price is unacceptable under the provisions of Article 87(2)(e) of this Code."

Article 5. "Subparagraph 2 of Article 167 of the Customs Code of the Republic of Armenia shall be amended by adding the following text:

Requests for such assessments shall be accepted before trade in the good concerned begins and may be accepted at any later point in time. Such assessments shall remain valid for three years provided that the facts and conditions, including the rules of origin, under which they have been made remain comparable. Provided that the parties concerned are informed in advance, such assessments will no longer be valid when a decision contrary to the assessment is made in a review as referred to in Article 169 of this Code. Such assessments shall be made publicly available subject to the provisions of subparagraph 1 of Article 167 of this Code."

Article 6. "This Law shall enter into force ten days after its official publication."

The President of the Republic of Armenia

R.Kocharyan

Yerevan
28.November, 2002
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