

## THE LAW OF THE REPUBLIC OF ARMENIA ON CUSTOMS DUTIES

### SECTION ONE GENERAL PROVISIONS

#### **Article 1. The purposes and scope of the law**

This law defines the concept of customs duties in the Republic of Armenia, the types, the procedure of application and the rate schedule thereof, the rules of levying the customs duty on goods as well as other items (hereinafter goods) imported into and exported out of the customs territory.

#### **Article 2. Customs duties**

Customs duties are the universally mandatory and uncompensated payments for the purpose of satisfying state and public needs of the Republic of Armenia. They shall be levied on goods as well as other items imported into and exported out of the customs territory of the Republic of Armenia.

#### **Article 3. The procedure of defining customs duties**

The customs duties of the Republic of Armenia and the rates thereof shall be defined by this law, with the exception of countervailing duties provided by clause 1 Article 8 of this law, which the government of the Republic of Armenia reserves the right to define for periods of up to 6 months. In the event that such customs duty shall be applied for periods in excess of 6 months, it should be specified by this law.

### SECTION TWO CUSTOMS DUTIES AND TYPES THEREOF

#### **Article 4. Customs duties by the nature of transaction**

The following customs duties by the nature of transaction shall apply in the Republic of Armenia:

- 1) export: these shall be paid for goods and other items exported out of the customs territory

of the Republic of Armenia

2) import: these shall be paid for goods and other items imported into the customs territory of the Republic of Armenia

3) seasonal: these shall be paid for certain goods and other items exported out of or imported into the customs territory of the Republic of Armenia within a specific period of the year.

#### **Article 5. Customs duties by the nature of calculation**

The following customs duties by the nature of calculation shall apply in the Republic of Armenia:

1) *ad valorem* (value based): these shall be calculated as a percentage of the customs value of goods and other items subject to taxation with customs duties

2) special (fixed): these shall be calculated through fixed tariffs [applied]<sup>1</sup> per unit of measure of goods and other items subject to taxation with customs duties

3) mixed: when the *ad valorem* and special customs duties are combined.

#### **Article 6. Targeted customs duties**

With the purpose of protecting the interests of the economy of the Republic of Armenia as well as of encouraging economic activity the following customs duties shall apply:

1) countervailing: these shall apply as measures responding to discriminatory actions of individuals, states or associations thereof

2) encouraging: these shall apply with the purpose of reducing the customs duties defined for goods and other items imported from individual countries.

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<sup>11</sup> *Translator's note:* The words in square brackets are absent but are clearly implied in the Armenian original.

## **SECTION THREE**

### **CUSTOMS VALUE**

#### **Article 7. Customs Value of Imported Goods**

1. Calculation of customs duties that are levied for import of goods shall be done based on the customs value – the amount which is actually paid, is subject to payment or should be paid for acquisition of goods and its transportation as far as the customs border of the Republic of Armenia.
2. Customs value shall include:
  - a. The acquisition price of goods in the exporting country.
  - b. The transportation, loading, unloading, trans-shipment and insurance costs that are made before reaching the customs border of the Republic of Armenia.
  - c. The commission and mediation /broker/ expenditures made in exporting countries for acquisition and transportation of the goods as far as the customs border of the Republic of Armenia.
  - d. The value of the following goods and services, provided by the importer without return or with partial return, directly or indirectly to the supporter, for production of imported goods and its export to the Republic of Armenia:
    - materials, components and other identical items included in the imported goods;
    - tools and other identical items included in the imported goods;
    - materials that are consumed during production of imported goods;
    - polytechnical, projecting and other identical works that are required for production of the imported goods and are performed outside of the Republic of Armenia.
  - e. The payments for royalties and permissions subject to direct or indirect payment by the importer, that are required for sale of the imported goods.
3. The following shall not be included in the customs value:
  - a) VAT, excise, circulation and sale taxes that are paid (are subject to payment) in the exporting country and are separately noted in payment documents;
  - b) The transportation, loading, unloading, trans-shipment, insurance, commission and mediation /broker/ costs made in the customs territory of the Republic of Armenia.

#### **Article 8. Customs Value of Exported Goods**

1. Calculation of customs duties levied for export of the goods out of the customs territory of the Republic of Armenia shall be done based on the customs value, i.e. the amount, that is actually paid, is subject to payment or should be paid for acquisition of goods in the territory of the Republic of Armenia and for its transportation as far as the border of the customs border of the Republic of Armenia.

2. Customs value shall include:
  - a. The acquisition price of the goods in the customs territory of the Republic of Armenia;
  - b. The costs for transportation, loading, unloading, trans-shipment and insurance that are made before reaching the customs border of the Republic of Armenia.
  - c. The Commission and mediation /broker/ expenditures made for acquisition of goods in the Republic of Armenia and its transportation as far as the customs border of the Republic of Armenia.
  - d. The value of the following goods and services, provided by the purchaser without return or with partial return, directly or indirectly to the exporter, for production of exporting goods and their export out of the Republic of Armenia:
    - materials, components and other identical items included in the imported goods;
    - tools and other identical items included in the imported goods;
    - materials that are consumed in production of imported goods
    - polytechnical, designing, projecting and other identical works that are required for the production of the imported goods and are performed in the Republic of Armenia.
  - e. The payments for royalties and permissions subject to direct or indirect payment by the exporter, that are required for sale of the exported goods.
3. VATs and excise tax paid (subject to payment) in the Republic of Armenia and separately noted in the payment documents shall not be included in the customs value.

#### **Article 9. Determination of customs value**

1. Customs value shall be defined by the declarer (importer or exporter) and the customs authorities, in the cases and by the procedures defined by this Law.
2. The persons who declare not true customs value by using documents that are acknowledged fake in accordance with procedures defined by the Government of the Republic of Armenia, shall bear responsibility by the procedures defined by the Law.

#### **Article 10. Calculation of Customs Duty for Imported Goods on the Basis of the Customs Value (Transaction Price) that is Declared by the Declarer**

1. Calculation of customs duties for imported goods shall be done based on the customs value (transaction price) declared by the declarer, particularly in the following cases:
  - a. for the goods that are acquired from a duty free store in the case when cheque issued by the store is available.
  - b. in the case of import of goods by legal persons that have distributors, dealers, and agents franchises /mandates/ issued by big foreign companies and registered in the Customs Department of the Republic of Armenia in accordance with the list defined and published by the Customs Department of the Republic of Armenia, provided that these goods are considered to be their own production

- c. in the case of import of goods by representations, branches, subsidiaries, and franchises of big foreign companies that are registered in the Republic of Armenia in accordance with the list defined and published by the Customs Department of the Republic of Armenia, provided that these goods are considered to be their own production.
  - d. if the importer's declared customs value does not significantly differ from the custom value of the same goods that are imported into the Republic of Armenia in the same or nearly the same period of time. According to this Law the same goods shall be considered to be those goods that are similar in all respects, including physical features, quality, country of origin, production and expiration dates and reputation. At the same time, a slight decline in the appearance of those goods shall not be considered satisfactory condition for not considering the goods as similar.
2. Calculation of the customs duty shall be performed based on the customs value declared by the declarer also in the case, when the declaration of the exporting country is available and the customs value, that is indicated in it, corresponds with the price that is indicated in the purchase-invoice (the document certifying acquisition of goods), provided that expenditures defined in points "b"-“e” of Article 9 of this Law are included in it /price/ by the importer. The list of countries, whose issued exporting declarations are considered as a base by the customs authorities, for the purpose of implementation of this point, is defined by the Government of the Republic of Armenia.
  3. If in the cases stipulated by Point 2 of this article, the importer does not submit documents confirming transportation, unloading, insurance costs of goods before its reaching the customs border of the Republic of Armenia, their calculation is made by the customs authorities, by using the information that is developed on the basis of major forwarding and insurance companies' tariffs.

#### **Article 11. Imported goods customs value determination by customs authorities**

If the declarer (importer) obviously declared less or not real customs value of the goods and if it is found to be impossible to determine or to check the value based on presented documents, the customs value of the imported goods is to be determined by the customs authorities according to the procedures defined by Article 12 of the present Law. For these purposes the information used by the customs authorities is to be published.

#### **Article 12. Other methods of the imported goods customs value determination**

1. In accordance with Article 11 of the present Law the customs value of the goods exported to the Republic of Armenia is determined based on the price of the same or almost the same quantity of the same goods sold in the exporting country at the same or almost the same period of time.
2. If it's impossible to determine the customs value of the goods imported into the Republic of Armenia in accordance with Point 1 of Article 11, then it is determined on the basis of the price of the same or almost same quantity of the sold goods identical to those to be exported to the Republic of Armenia at the same or almost the same period of time. In accordance with this Law identical goods are goods which though are not similar by all criteria, yet have alike features and alike ingredients, which allows to present the same operations and to be

substitute, as well as are from the same country of origin. Furthermore, to determine if the goods are identical, among other factors the quality of the goods, production and expiration dates, the reputation and the existence of trademark must be considered.

3. If it is impossible to determine the customs value of imported goods according to Point 1 and Point 2 of this Article, then it is determined in accordance with Point 4 of this Article, and if this is not possible either, then the value is determined in accordance with Point 5 of this Article, except for the cases, when the implementation order of Points 4 and 5 is changed by the request of the importer.
4. If the import of goods or the same or identical goods are realized in the Republic of Armenia in the same way, then the customs value of the goods imported into Republic of Armenia according to Point 3 of this Article is defined by the largest gross quantity, based on the price of a unit of these goods or the same or identical goods realized the same way at the same or almost same period of time, considering the following reductions:
  - a) The commissions or commercial overheads usually executed at the realization of the same type of goods in the Republic of Armenia. According to this Law the goods of the same type are the goods considered as a group of products attributable to the production of a given industry (including the same and identical goods).
  - b) The costs associated with the transportation of the goods within the Republic of Armenia, storage, insurance and other such kind of expenses.
  - c) The taxes and other compulsory payments for importing the goods to the Republic of Armenia or for the sale of the goods in the Republic of Armenia.

If the goods or the same or identical goods, imported at the same or almost the same period of time, are not sold in the Republic of Armenia, then the customs value of the goods imported into the Republic of Armenia, according to Point 4 of this Article, is defined immediately after importation, but not later than within 90 days, based on the unit selling price of the goods or the same or identical goods, considering the reductions cited in this Article.

If the goods or the same or identical goods, imported at the same or almost the same period of time, are not sold in the Republic of Armenia, then by the importer's request, the customs value of the goods imported into the Republic of Armenia, according to Point 3 of this Article, may be determined based on the price, by which the largest gross amount of the goods will be sold in the Republic of Armenia after their further processing, considering the value added by such processing and the reductions cited in this Point.

5. In accordance with Point 3 of this Article, the customs value of the goods imported into the Republic of Armenia is defined based on the calculated value of the goods, which includes:
  - a) The value of processing or the materials used in the production of the imported goods;
  - b) Total expenses and profit usually revealed at the sale of the same types of goods in the exporting country, earmarked by the exporters, to export to the Republic of Armenia;
  - c) The other reductions, cited in Point 4 of this Article;
6. If it is impossible to define the customs value of the goods imported into the Republic of Armenia according to Point 5 of this Article, then it is determined by other means pertinent to the provisions of this Article, on the base of existing in the Republic of Armenia information. Furthermore, the following cannot be considered as such kind of information:

- a) the selling prices in the Republic of Armenia of the goods produced in the Republic of Armenia;
  - b) Any system, which takes as a base the largest of two alternative customs values;
  - c) The prices of goods in the exporting country's domestic market;
  - d) Production costs, except for the calculated values of the goods or identical goods cited in Point 5 of this Article;
  - e) The prices of the goods to be exported to other countries (besides the Republic of Armenia);
  - f) Minimum customs value;
  - g) Voluntary values.
7. Points 1-6 of this Article are executed to define the customs value in accordance with the order cited in this Article. Moreover, every next Point may be executed only when it is impossible to define the customs value according to the previous one, except for the case indicated in Point 3 of this Article. If the importer didn't request to change the implementation order of Points 4 and 5, then applies the order cited in this Article. If based on such request it is impossible to determine the customs value according to Point 5 of this Article, then it is to be determined in accordance with Point 4 of this Article.
8. Based on the written request from the importer, he is to be informed about the customs value and the method it was arrived at according to this Article, within 5 business days.
9. In accordance with this Law, the government of the Republic of Armenia defines the determination order of the customs value of the goods imported into the Republic of Armenia.
10. The information and sources used to define the customs value are open and should be published.
11. In case the customs authorities need to check or define the customs value of the goods stated in the declaration by the declarer (importer), the goods may be cleared in accordance with the customs value (transaction price) declared by the importer, in case of existence of bank guarantee, up to one month, equivalent to the argued amount, with the precondition to conclude final calculation of ultimate decision in future.

### **Article 13. Appeal of the determination of the customs value by customs authorities**

1. In the event of disagreement on the part of the customs authorities with the measure, [and/or] manner of determination of customs value declared by the declarer (importer), the former, on the day of submission of the declaration, shall imperatively have to draw a rejection statement and hand it over to the declarer, wherein shall be [contained] a substantiation of the reasons for the non-acceptance of the the measure and manner of determination of customs value declared by the declarer (importer), as well as a reference to the address of a superior customs

authority or official, to which the declarer (importer) may apply with an appeal.

2. In the event of disagreement on part of the declarer (importer) with the measure, [and/or] manner of determination of customs value by the customs authorities, the declarer may apply to a superior customs authority or appeal in a court of law. The superior customs authority must adopt a relevant decision within a ten day period and immediately inform the declarer. An appeal shall not relieve the declarer from the liability to pay the customs duties and customs payments within stipulated time-frames.

3. The declarer (importer) may also appeal the actions of customs authority officials pertaining to the determination of customs value, provided they have resulted in a less favourable regime compared to another declarer, all other circumstances being equal.

## **SECTION FOUR CALCULATION AND PAYMENT OF CUSTOMS DUTIES**

### **Article 14. Customs duty calculation and payment**

1. Calculation of the customs duty by the Customs Authorities of the Republic of Armenia is carried according to the rates defined on the declaration submission day.
2. The customs duty is paid in compliance with the procedure established by the Government of the Republic of Armenia within a period of 10 days after removing the goods from the customs border.
3. The customs duty is paid only in drams, the state currency of the Republic of Armenia.
4. In case of a declarer's disagreement with the rejection by the customs body, the declarer shall present to the customs body bank guarantee specified in Point 11 of Article 12 of this law, and make the payment in the way defined in that point.

## **PART 5 CUSTOMS DUTY RATES**

### **Article 15. Customs duty rates**

1. Customs duty is paid according to the following rates

Code according to ATG AA	Names of goods	Import	Export
01	Live animals	0	0



02	Meat and meat products	10	0
03	Fish, cancroids, and other water inhabiting invertebrates	10	0
0301	Live fish	0	0
04	Milk and milk products, eggs	10	0
05	Other products of animal origin not mentioned above	10	0
06	Trees and other plants, roots and other similar parts of plants, flowers and decorative greens	10	0
07	Vegetables, root-crops	10	0
07 01 10 000	Potato seeds	0	0
08	Edible fruits, nuts, peel of vegetables and citrus	10	0
09	Coffee, tea, spices	10	0
10	Flour-grinding industrial products, malt, starch, cereal gluten	0	0
11	Oil-bearing plants seeds and fruits, other fruits and cereals, herbs, plants used for technical reasons, straw and forage	0	0
1206.00	Sunflower seeds	10	0
13	Doge resins, vegetable resins, resins, and other natural substances and extracts	0	0
1302	Natural juices and extracts	10	0
14	Natural substances for wickerwork production	0	0
15	Oil of animal or vegetable origin, substances obtained through their cleavage, prepared eating oil, vegetable or animal wax	10	0
16	Meat, fish, cancroid, mollusk and other water inhabiting invertebrates production	10	0
17	Sugar, sugar production	10	0
18	Cocoa, cocoa production	10	0
19	Cereals, flour, starch and milk production, confectionery	0	0
1902	Macaroni	10	0
1904	Food received after processing cereals	10	0
1905.30	Sweets, wafers	10	0
20	Production received after processing vegetables	10	0
21	Different types of food products	10	0
2102	Yeast	0	0
22	Alcohol and non-alcohol drinks, vinegar	10	0
23	Food production remainder and waste, animal forage	0	0
2309.10	Animal (dogs and cats) forage	10	0
24	Tobacco and production tobacco substitutes	0	0
2402	Cigars, cigars with a cut edge, cigarillas (thin cigars) and tobacco cigarettes or their substitutes	10	0

25	Salt, sulfur, soil and rocks, plaster, clay,	10	0
2523	Portland cement, alumini cement, slag cement, supersulphat cement and similar hydraulic cement - not colored or colored, prepared or as a glazed substance	10	0
26	Ore, ash, slag	0	0
27	Mine fuel, kerosene and kerosene production, bitumen ore, ore wax	0	0
28	Non-organic chemical production, compound of valuable and rare soil metal organic and non-organic chemical compounds, radioactive elements or isotopes	0	0
29	Organic chemical compounds	0	0
30	Pharmaceutical production	0	0
31	Fertilizers	0	0
32	Tanning and dyeing extracts, tannins and their derivatives, pigments and other dyeing substances, paints and rags, floor polish, mastic, ink (printing paint)	0	0
33	Essential oil, essences	0	0
34	Soap, surface-active organic substances, washing and lubricating facilities, artificial and prepared wax, cleaning and polishing facilities, wax used in dental practice, and other gypsum substances	0	0
35	Albuminous substances, modified starch, glues, ferments	0	0
36	Explosives, pyrotechnical production, matches	0	0
37	Photo production, film production	0	0
38	Other chemical production	0	0
39	Plastic substances and plastic goods	0	0
39 17	Plastic pipes, tubes, bent tubes, couplings	10	0
39 17 10	Artificial covers (for salami) made of firm protein or cellulose	0	0
39 17 21 910	Ethylene made plastic pipes, tubes, bent tubes and couplings, used for couplings in civil aviation	0	0
39 17 23 910	Vinilchloride polymer made plastic pipes, tubes, bent tubes and couplings, used in couplings in civil aviation	0	0
39 17 29 910	Plastic pipes, tubes, bent tubes and couplings made of other types of plastic, used in civil aviation	0	0
39 17 31 100	Plastic pipes, tubes, bent tubes and couplings that endures 27,6 MPa pressure, used in couplings in civil aviation	0	0
39 17 33 100	Other plastic pipes, tubes, bent tubes and couplings that mixed with other substances, used in couplings in civil aviation	0	0

39 17 39 910	Other plastic pipes, tubes, bent tubes and couplings used in couplings in civil aviation	0	0
39 17 40 100	Plastic attachments for civil aviation	0	0
39 22	Baths, showers, sinks, bidets, lavatory pans, lavatory pan seats and covers, barrels, and similar plastic sanitary items or production	10	0
39 23	Plastic production for moving or wrapping finished goods, plugs, lids, valves, and other plastic plugging items	10	0
39 24	Kitchen utensils, items of domestic use, adorning goods, and other plastic articles	10	0
39 25	Plastic building details not mentioned above	10	0
39 26	Other plastic goods and other substances mentioned in points 3901-3914	10	0
39 26 90 100	Other plastic goods and other substances mentioned in points 3901-3914 used for technical reasons, for civil aviation	0	0
40	Caoutchouc and rubber items	0	0
401110000	Passenger car tire-covers	10	0
40 12 10 300	Recovered tire-covers for passenger cars	10	0
40 12 10 500	Recovered tire covers for passenger cars or for trucks	10	0
40 12 20 900	Used pneumatic tire-covers	10	0
401310100	Passenger car tire-cover rubber inner tubes	10	0
401510000	Household rubber gloves	10	0
401519900	Other rubber gloves	10	0
401590000	Other rubber garment	10	0
401692000	Rubber floor rugs, covers	10	0
401692000	Eraser	10	0
41	Leader raw material and leader	10	0
42	Leader production	10	0
43	Fur, fur raw material, artificial fur	0	0
4303	Fur garment	10	0
44	Wood and wood production	0	0
45	Cork and cork production	0	0
46	Production made of straw and other braiding material	10	0
47	Cellulose, paper raw material	0	0
48	Paper, cardboard	0	0
48 18	Toilet paper and other similar paper, cellulose cotton or cellulose fiber household or sanitary items not wider than 36 cm rolls , such as napkins, decorative tissues, towels, table cloths, table	10	0

	napkins, swaddling clothes, towels, sheets, and other goods of household, sanitary and medical use, garment and its accessories and decorations made of paper substance, paper, cellulose cotton		
48 19	Baskets, boxes, bags and other items made of paper, cardboard, cellulose cotton, cellulose fiber. Items such as paper folders, letter boxes and other production made of similar paper or cardboard, which is used in industry, shops, or for other similar reasons	10	0
49	Books, newspapers, other polygraphic production	0	0
50	Silk and silk production	10	0
50 02	Silk raw material	0	0
50 04	Silk thread (except for silk remainder yarn) not intended for retail sale	0	0
50 05	Yarn (from silk remainders) not intended for retail sale	0	0
51	Wool and wool production	0	0
52	Cotton	0	0
53	Other natural textiles, paper threads and fabrics	0	0
54	Chemical threads	10	0
54 07	Articles made of complex synthetic thread	10	0
54 08	Articles made of artificial thread	10	0
55	Chemical staple threads	0	0
56	Cotton, thick felt, yarn, plait, cable, ropes	0	0
57	Rugs and others rug covers	10	0
58	Special fabrics, fleecy fabrics, tapestry, lace	10	0
58 01	Fleecy nap articles, except for those listed in points 5802 or 5806	0	0
58 02	Textiles, fleecy towels, and similar textiles, except for narrow textiles listed in point 5806; velvet textiles, except for the goods listed in point 5703	0	0
5803	Curl binding textiles, except for narrow textiles listed in point 5806	0	0
5904	Linoleum	10	0
60	Jersey	0	0
61	Jersey garment	10	0
62	Textile garment (except for jersey)	10	0
63	Ready-made textiles and other articles	10	0
64	Shoes	10	0
6406	Shoe parts	0	0
65	Hats	10	0
66	Umbrellas, walking sticks, whips	10	0
67	Feather made articles, artificial flowers	10	0
68	Stone, gypsum, cement, asbestos, mica production	10	0

681290 100	Fiber received after processing asbestos used for civil aviation	0	0
681310 100	Brake armor on the base of asbestos and other ore substances, used for civil aviation	0	0
681390 100	Other mobile substances received after asbestos processing, on the base of asbestos and other ore substances, used for civil aviation	0	0
69	Pottery production	10	0
70	Glass and glass production	10	0
7004	Glass ( tight, evenly painted)	10	0
7005	Mirrors, and other surface polished glass	10	0
7009	Glass mirror for cars	10	0
7016	Glass tiles, blocks and other decorative articles	10	0
7018	Glass made decorations	10	0
71	Pearls, precious and semi-precious stones, precious metals, precious goods, jewelry, currency	0	0
7101	Pearls	10	0
7113	Items made of gold, and their parts made of precious metals	10	0
7114	Items made of gold and silver, and their parts made of precious metals	10	0
7115	Other articles made of precious metals	10	0
7117	Jewelry	10	0
7118	Currency	10	0
72	Black metal	0	0
73	Black metal made production	0	0
7323	Kitchen and food utilities	10	0
74	Copper and copper production	0	0
75	Nickel and nickel production	0	0
76	Aluminum and aluminum production	0	0
7615	Other kitchen and household utilities	10	0
7616	Other aluminum items	10	0
78	Lead and lead production	0	0
79	Zinc and zinc production	0	0
80	Tin and tin production	0	0
81	Other non-precious metals, metal ceramics production made of it	0	0
82	Tools, knives, forks made of non-precious metals	10	0
83	Other items made of non-precious metals	0	0
8303	Waterproof, nonflammable safes	10	0
84	Pivoted reactors, coppers, constructions, and mechanical devices	0	0
8415	Devices intended for air conditioning, supplied with mobile air-conditioner and mechanisms for adjusting air temperature and humidity, including air-conditioners which do not have a separate	10	0

	temperature control panel		
84 15 81 100	Freezing device supplied with a "cold-hot" exchange regime used for civil aviation	0	0
84 15 82 100	Other freezing device used for civil aviation	0	0
84 15 83 100	Other devices without freezing mechanisms used for civil aviation	0	0
84 15 90 100	Parts for air-conditioning devices, listed in points 8415 81, 8415 82, or 8415 83, used for civil aviation	0	0
84 18	Refrigerators, freezers, other electrical or other refrigerating and freezing devices, thermal pumps, except for air-conditioners listed in point 8415	10	0
84 18 10 100	Joint refrigerator and freezer, with separate doors, used for civil aviation	0	0
84 18 30 100	"Wire" type freezers, not exceeding 800 liter capacity, used for civil aviation	0	0
84 18 40 100	Vertical freezers , not exceeding 900 liter capacity, used for civil aviation	0	0
84 18 61 100	Other refrigerating and freezing devices, compressor type thermal pumps with condensers, used as heat transmitter for civil aviation	0	0
84 18 69 100	Other refrigerating and freezing devices, compressor type thermal pumps, used for civil aviation	0	0
84 50 11	Washing machines used domestically or in wash-houses, supplied with wringing devices, not exceeding the capacity of 10 kg of dry linen, fully automated	10	0
84 50 12	Washing machines used domestically or in wash-houses, supplied with wringing devices, not exceeding the capacity of 10 kg of dry linen, with built-in centralized wringing device	10	0
84 72 19	Washing machines used domestically or in wash-houses, supplied with wringing devices, not exceeding the capacity of 10 kg of dry linen	10	0
84 72 10	Xerox machines	10	0
85	Electrical machines and devices, recording devices, television devices, receiving and broadcasting devices	10	0
8501	Electrical motors and generators (except for electricity generating stations)	0	0
8502	Electricity generating stations and rotating electrical transformers	0	0
8503	Parts intended to be used with items listed in points 8501 or 8502	0	0

8505	Electrical magnet, constant magnets, production types intended for transforming constant magnets after mesmerizing; electrical magnet or constant magnet bandages, terminals, and similar devices for transformed production suppression; electro-magnetical cohesion, rim and break	0	0
850710100	Lead electrical accumulators used for civil aviation combined engines	0	0
850720100	Other lead electrical accumulators used for civil aviation	0	0
850730100	Cadmium-nickel electrical accumulators used for civil aviation		
850740100	Long nickel electrical accumulators used for civil aviation	0	0
850780100	Parts for electrical accumulators used for civil aviation	0	0
8508	Electrical-mechanical hand utensils used for civil aviation	0	0
8511	Electrical devices for internal-combustion engine use, for spark-ignited, or fuel pressure ignited engines (for example, magneto, starters), generators (constant and alternating current electricity), and safety devices used with these engines	0	0
8515	Machines and appliances, electric (including electric heating appliances), laser or other light or photon, super-sound, electra-radial, magnetic-impulsive, or plasma-arc-welding as well as for other solid solder substance or weeding, regardless of their ability to perform cutting; if not - then for covering electrical machines and appliances, or metal-carbides with dust	0	0
851621	Heat accumulating radiators	0	0
851629	Other electrical appliances used for building heating and for soil heating	0	0
851680100	Electrical heating opposition , consisting of simple isolated carcass and electrical switch combined in a module, used in anti-freezing system of civil aviation	0	0
85 18 10 100	Microphone and its stand , used for civil aviation	0	0
85 18 29 100	Single loud-speakers combined in blocks, used for civil aviation	0	0
85 18 22 100	Set of loud-speakers combined in single blocks, used for civil aviation	0	0
85 18 29	Other loud-speakers, used for civil aviation	0	0

100			
85 18 30 100	Main telephone system, headphones, including hybrid telephones, used for civil aviation	0	0
85 18 40 100	Sound frequency amplifier , used for civil aviation	0	0
85 18 50 100	Sound amplifier electrical appliances, used for civil aviation	0	0
85 20 90 100	Tape players and other recording appliances, comprising or not comprising playback device, used for civil aviation	0	0
85 21 10 100	Appliance for video recording and replay, used for civil aviation supplied with video devices	0	0
85 22 90 100	Blocks and groups comprising two or more pieces connected or comparative parts, for appliances listed in point 8520 90, used for civil aviation		
85 25 10	Transmission appliances	0	0
85 25 20 100	Transmission appliances, telegraph and telephone radio appliances containing receiving devices	0	0
85 26	Radiolocation, radio-navigation equipment and remote control radioequipment.	0	0
85 27 90 100	Receivers of radiotelephone and radiotelefax type of communication for civil aviation	0	0
85 29 10 100	Any kind of antennas and reflectors for antennas: parts that are used for its production: for civil aviation	0	0
85 29 90 100	Blocks and sub blocks that consist of parts and details, that are classified in the subsections 8526 10 10 8526 91 11 8526 91 19 and 8526 92 10, for civil aviation	0	0
85 30	Electrical signal devices to organize and to control the security of the real ways, car ways, tramways, internal waterways, mooring squares , ports and airports traffic, (except the devices classified under 8608 trade position)	0	0
85 31	Sound and light signal devices (except noted items under 8512 or 8530 trade position)	0	0
85 32	Constant, variable and stabilizing electrical condenser	0	0
85 33	Electrical resistors, including rheostats and potentio-meters	0	0
85 34	Printed boards (plates)	0	0
85 35	Electrical equipment to commute and to defend the electrical circuits for more than 1000 W tension (switches, transformers, interrupters, safety devices, electrical arc barriers, voltage limitators, voltage leap shooters, switch boxes,	0	0



	power-receivers, power-transformers)		
85 36	Equipment for more than 1000 W: to switch the power, to interrupt, defend, to switch the electrical circuits (for ex. Switches, transformer shooters, interrupters, relays, oscillation shooters, plug sockets, patrons, switch boxes etc.)	0	0
85 37	Remote controls, panels, tables, supply panels and other bases for electrical equipment, processed by the production of one or two of 8535 or 8536 trade positions, for electrical power control and supply, which include 90 groups of devices, means and digital control equipment, except commutation devices under 8517 trade	0	0
85 38	Parts designed only or mainly for functions with 8535-8537, which are not mentioned elsewhere.	0	0
8544	Isolated conductors (including vesseled), cables (including with coaxel isolation), and other isolated electrical conductors –with details of connection and without those. Strand-optical cables, that consist of strand individual covers or cases: no matter if those are completed or are with not Electra-conductors or with elements of connection.	0	0
8545	Carbonic electrode, carbonic brushes, coals for lamps or for batteries, and other items based on graphite or carbo-hydrate that are applied in the field of electra-technics.	0	0
8546	Electrical insulators – based on any substance.	0	0
8547	Isolation clamps for electrical machines, means and devices, totally consisted of insulation substances except of some metallic parts (e.g. spiral patrons), which are applied in casing, only with the purpose of assembling, except of the insulators mentioned under 8546 trade position. Electra-isolated pipes and details of connection -- not based on precious metals, covered by isolating substance.	0	0
8548	Salvage and scrap of the primary elements, elementary batteries and electrical accumulators, worn-out primary elements, worn-out elementary batteries and worn-out electrical accumulators. Electrical parts of machines and equipment that are not mentioned elsewhere.	0	0
86	Locomotives, tramways, carriage and other machines	0	0
87	Transportation means (except for real)	10	0
8710	Tractors	0	0
8702	Cars (vans) for transportation designed for 10 and	0	0

	more people including the driver		
870390100	Electric vehicles (trolley-buses)	0	0
8704	Trucks	0	0
8705	Vehicles of specific importance, with the exception of those that are used for transportation of passengers and luggage (e.g. emergency repair trucks, cranes, emergency fire trucks, auto-concrete-mixers, road-cleaning machines, watering-washing machines, auto-repair shop, cars with x-ray stations	0	0
8709	Track means of transportation – self propelled, unequipped crane and embark facilities used in plants, warehouses, ports, and airports for transportation of luggage in a short distance, luggage carriers used in railway platform, and parts for the above mentioned means of transportation		
8710	Tanks and other military self –propelled armored vehicles with or without weapons, their parts and items.		
8713	Wheelchairs for the handicapped		
8714	Parts of wheelchairs and equipment for the handicapped	0	0
88	Air-crafts, space-crafts, etc.	0	0
89	Ships, boats and other steaming facilities	0	0
90	Medical and Surgical optical, photographic, cinematography, measuring-controlling equipment and tools	0	0
9096	Photographic camera, flash	10	0
9009	Copying equipment	10	0
91	Watches, clocks and their parts	10	0
910400100	Watches for the civil aviation	0	0
9108-9112, 9114	Parts of watches	0	0
92	Musical instruments and their components	0	0
93	Arms and ammunition	0	0
94	Furniture, bedding, illuminators , prefabricated constructions	10	0
940110100	Bench furniture without leather cover for the civil aviation	0	0
9402	Furniture for medical facilities	0	0
940320100	Other metallic furniture for the civil aviation	0	0
940510100	Chandeliers and other illuminating equipment, made of non-precious metals or plastic, for the civil aviation	0	0
940560100	Signs and identical production, made of non-precious metals or plastic, for the civil aviation	0	0

940592100	Plastic components for the illuminators in groups 940510 and 940560, for the civil aviation	0	0
940599100	Components made of non-precious metals for illuminators in groups 940510 and 940560, for the civil aviation	0	0
9406	Prefabricated constructions	0	0
95	Toys, facilities for physical training	0	0
9504	Entertaining games, on-table and indoor plays	10	0
9506	Sports items	10	0
950800000	Marry-go-rounds, shooting-gallery, and other attractions	10	0
96	Different kinds of finished articles	10	0
97	Works of art	10	0

2. In those cases when according to point 1 of this Article some other rate of customs duty is established for goods, that are classified in a certain subgroup, than for a group of goods that includes this subgroup, the rate that is defined for that certain subgroup of goods is implemented, regardless the rate defined for that group.

#### **Article 16. Importation of goods and other items by individuals**

1. Without the payment of customs duty individuals may import into the customs territory of the Republic of Armenia as accompanying load (crossing the customs border of the Republic of Armenia concurrently with the individual in question) goods and other items not exceeding the equivalent of 500 U.S. dollars in their total value, including:

- a) 50 kilograms of fungible, divisible load
- b) 1 kilogram of the types of goods covered by grouping 0901 and 2101 of the listing of goods for foreign economic operations
- c) 2 litres or one bottle, provided the volume of the bottle equals or exceeds 2 litres, of the types of goods covered by grouping 22 of the listing of goods for foreign economic operations
- d) 400 pieces of the types of goods covered by grouping 24 of the listing of goods for foreign economic operations
- e) 0.2 kilogram of the types of goods covered by grouping 1604 30 of the listing of goods for foreign economic operations.

For the purpose of this law an accompanying load shall also be construed to be the luggage that, for reasons beyond the individual's control, is delayed or, at the time of [the latter] crossing the customs border of the Republic of Armenia is lost or misdirected.

2. A customs duty shall be levied on the part of imported goods and items that exceeds the monetary or in-kind amounts referred to above at the rates defined in Article 15 of this law.

3. The same individual may take advantage of the privilege stipulated in clause 1 of this Article not more than twice within a calendar month.

4. Without the payment of customs duty individuals may import personal belongings [worn] on themselves or [carried] in the luggage. The following goods and other items shall be considered to constitute personal belongings:

- those in the accompanying luggage that are without the manufacturer's packaging and labeling
- those worn on the individuals at the time of importing, with the exception of goods referred to in sub-clauses b) through e), clause 1 of this Article
- those declared by the individual in the passenger declaration upon previously exporting from the Republic of Armenia.

5. Individuals arriving into the Republic of Armenia for permanent residence or pursuant to employment contracts may import their personal property into the Republic of Armenia without the payment of customs duty.

6. Citizens of the Republic of Armenia may carry their inherited property by the customs border of the Republic of Armenia without customs duty payment in the case when they submit appropriate documents on inheritance to the customs authorities of the Republic of Armenia.

#### **Article 17. Importation of goods and other items by individuals non-resident in the Republic of Armenia**

In cases when individuals non-resident in the Republic of Armenia import loads that apparently constitute commercial quantities, the customs authorities of the Republic of Armenia shall be entitled to demand that the non-resident declarer:

- present a supply contract concluded with an individual resident in the Republic of Armenia
- obtain registration in a manner stipulated by the legislation of the Republic of Armenia as a person engaged in entrepreneurial operations in the Republic of Armenia
- re-register the load on the name of an individual resident in the Republic of Armenia.

2. Should the payer fail to comply with the requirements stipulated in point 1 of this Law, the customs authorities may forbid the import of goods into the Republic of Armenia.

**SECTION FIVE**  
**EXEMPTION FROM THE CUSTOMS DUTY AND [CUSTOMS] PRIVILEGES**

**Article 18. Exemption from the customs duty**

The customs duty shall be exempted for the following:

- 1) fixed assets provided for in the statutory capital of joint ventures and enterprises with foreign investments and being imported by the foreign partner (investor). In case of alienation of fixed assets within a period of 2,5 years since the date of using the privilege stipulated in the present paragraph (after importation of the aforementioned fixed assets) the customs duty including penalties for payment delay shall be collected in compliance with the procedure stipulated by Law.
- 2) (transit) goods in transit via the territory of the Republic of Armenia
- 3) transportation means that are used for regular interstate carriages of luggage and passengers, as well as the instruments, fuel and food that may be necessary on the road, at stopovers or for fixing malfunctions of above-mentioned transportation means
- 4) foreign currency and securities
- 5) goods and items that upon transportation enter the customs territory of the Republic of Armenia in the framework of humanitarian assistance and philanthropic projects. Whenever it should be needed to determine the nature of a project not specified by the Legislation of the Republic of Armenia (as well as in the International Treaties of the Republic of Armenia) the relevant decision shall be made by the RA authorised government body on coordination of humanitarian aid.
- 6) the following goods and items that are temporarily imported into the customs territory of the Republic of Armenia and then exported from the aforementioned territory, or that are temporarily exported and imported without being processed or re-processed:
  - a) goods and other items intended for non-commercial exhibitions, fairs or similar events
  - b) specialised equipment for professionals of the press, television, cinematography, science, culture, education, medicine, and for athletes
  - c) samples of goods and packages thereof
  - d) goods and other items intended for the needs of education, science, culture (books, magazines, newspapers, musical instruments, theatre and sports equipment, religious items)
  - e) advertising materials pertaining to tourism and sports
  - f) animals
- 7) goods and items imported into the customs duty free stores and exported from the

customs territory of the Republic of Armenia

8) importation into the Republic of Armenia of goods considered to be the property of foreign customer and intended for processing and subsequent exportation from the Republic of Armenia, provided a written agreement exists to export aforementioned goods within an exportation period determined in the agreement, but no later than one year. In the event of failure to actually export those goods within a specified time-frame the amount of the customs duty including the penalties for payment delay shall be levied in compliance with the procedure stipulated by law.

9) goods imported by the Central Bank of the Republic of Armenia;

10) other cases provided for by international agreements

#### **Article 19. Prolongation of the customs duty payment term**

For the goods that are imported through “Customs warehouse” regime the term of customs duty payment shall be prolonged till the release of those goods from customs warehouse.

#### **Article 20. Other privileges of customs duty**

Other privileges of customs duty may be defined by Law.

## CHAPTER VI COLLECTION AND REBATE OF CUSTOMS DUTIES, RESPONSIBILITY FOR NON-PAYMENT THEREOF.

#### **Article 19. Collection and rebate of customs duties, responsibility for non-payment thereof**

1. The sums of customs duties collected in excess shall be subject to rebate upon the demand of the proprietor of goods and other items within a period of one year following customs clearance.
2. Unduly collected customs duties shall be returned upon the demand of the proprietor of goods and other items by a decision of the head of the Customs Directorate of the Republic of Armenia or a court of law, within a period of one year following the payment thereof.
3. The sums of customs duties collected in short because of defaulting on the schedule of deferred or installment plan payments shall be subject to preemptory appropriation by the customs authorities of the Republic of Armenia through a court of law.
4. The sum of customs duties unpaid through a fault of the proprietor of goods and other items shall be collected by customs authorities within a period of one year following the imposition of the customs duty.

5. In the event of late payment of a customs duty up to 90 days a penalty shall be levied on the payer at the daily rate of 0.1 percent of the unpaid amount of the customs duty or payment.
6. Beginning with day 91 of the delay a penalty shall be levied on the payer at the daily rate of 0.3 percent of the unpaid amount of the customs duty or payment.
7. Should the payer fail to comply with the payment deadline, a penalty shall be charged for each overdue day in amount of 0,25 percent of that amount of customs duty that is not paid in time.

## CHAPTER VII TRANSITIONAL PROVISIONS

### **Article 22. Enactment of the Law**

1. This Law shall take affect since January 1, 1999.
2. At the moment this law becomes effective, the Laws of the Republic of Armenia “On Customs Tariffs” and “On Customs Duties Rates” with further amendments and addenda shall no longer be valid.
3. At the moment this Law becomes effective, the references to the Law of the Republic of Armenia “On Customs Tariffs” and to the Law of the Republic of Armenia “On Customs Duties Rates” in all the Laws of the Republic of Armenia shall be replaced by the references to the Law of the Republic of Armenia “On Customs Duties”.

*A. Yeghiazarian*  
*A. Toumanian*  
National Assembly members