AGREEMENT on the procedure for the movement of cash monetary funds and (or) monetary instruments by individuals across the customs border of the Customs Union

Member states of the Customs Union, within the frame of Eurasian Economic Community, hereinafter referred to as the Parties,

on the basis of the Agreement on creation of the common customs territory and the Customs Union dated 6 of October 2007 and the Agreement on the Customs Code of the Customs Union dated 27 November of 2009,

Taking into consideration the generally recognized principles and standards of international law,

have agreed on the following:

Article 1

1. This Agreement governs the procedure for the movement of cash monetary funds and (or) monetary instruments by individuals across the customs border of the Customs Union.

2. Relations arising out of the movement of cash monetary funds and (or) monetary instruments by individuals across the customs border of the Customs Union, not governed by this Agreement, shall be governed by other international agreements of the Customs Union, otherwise – by the laws of the Parties.

3. Provisions of this Agreement do not govern the relations arising out of the movement of the precious metal coins being the legal payment instrument by individuals across the customs border of the Customs Union.

Article 2

1. For the purposes of this Agreement, the following terms and definitions shall be used:

"cash monetary funds" – monetary objects in the form of banknotes and treasury notes, coins, except for the precious metal coins, which are in circulation and being the legal instrument of payment in the states - members of the Customs Union or foreign states(group of the foreign states),including monetary objects withdrawn or being withdrawn from circulation but exchangeable to the circulating ones;

"monetary instruments" - traveler's check, notes, checks (bank checks),as well as certificated securities confirming the repayment obligation of issuer (obligor), which do not identify a payee.

2. Other terms herein shall be used within the meaning specified by the Customs Code of the Customs Union, otherwise - by the laws of the Parties.

Article 3

1. Import of cash monetary funds and (or) traveler's checks by an individual to the customs territory of the Customs Union shall be unrestricted and implemented

in the following order:

for one-time import of cash monetary funds and (or) traveler's checks to the total amount equal to or not exceeding the equivalent of 10 thousand United States dollars, these monetary funds and (or) traveler's checks are not subject to customs declaring in writing;

for one-time import of cash monetary funds and (or) traveler's checks to the total amount exceeding the equivalent of 10 thousand United Sates dollars, these monetary funds and (or) traveler's checks are subject to customs declaring in writing by submitting the passenger customs declaration to the whole amount of the imported cash monetary funds and(or)traveler's checks.

2. One-time import of cash monetary funds and (or) traveler's checks by an individual to the total amount equal to or not exceeding the equivalent of 10 thousand United States dollars can be declared in writing at the option of an individual.

3. Import by an individual of the monetary instruments, except for traveler's checks, shall be made subject to customs declaring in writing by submitting the passenger customs declaration.

Article 4

1. Export by an individual of cash monetary funds and (or) traveler's checks from the customs territory of the Customs Union shall be unrestricted and implemented in the following order:

for one-time export of cash monetary funds and (or) traveler's checks to the total amount equal to or not exceeding the equivalent of 10 thousand United States dollars, these monetary funds and (or) traveler's checks are not subject to customs declaring in writing;

for one-time export of cash monetary funds and (or) traveler's checks to the total amount exceeding the equivalent of 10 thousand United Sates dollars, these monetary funds and (or) traveler's checks are subject to customs declaring in writing by submitting the passenger customs declaration to the whole amount of the imported cash monetary funds and(or)traveler's checks.

2. One-time export of cash monetary funds and (or) traveler's checks by an individual to the total amount equal to or not exceeding the equivalent of 10 thousand United States dollars can be declared in writing at the option of an individual.

3. Export by an individual of the monetary instruments, except for traveler's checks, shall be made subject to customs declaring in writing by submitting the passenger customs declaration.

Article 5

1. In cases where cash monetary funds and (or) traveler's checks are imported to the customs territory of the Customs Union or exported from this territory by an individual, exchange for the United States dollars shall be made at the rate fixed in

accordance with the legislation of the Party across the state border of which these cash monetary funds and (or) traveler's checks are moved, as of the date of submission of the passenger customs declaration.

2. For customs declaring the monetary instruments, except for traveler's checks, the passenger customs declaration shall specify nominal amount or corresponding amount in the currency of the state – member of the Customs Union or in the foreign currency the right to which shall be certified by the monetary instrument. In case of lack of nominal amount and impossibility to determine the amount in the currency of the state – member of the Customs Union or in the foreign currency, the right to which is certified by the monetary instrument, the passenger customs declaration shall specify the number of moved monetary instruments.

Article 6

With a view to ensuring the anti-money laundering and counteracting the terrorism financing in the course of the movement of cash monetary funds and (or) monetary instruments subjected to obligatory declaring in writing, across the customs border of the Customs Union by individuals, the passenger customs declaration shall additionally specify:

1) the date and place of the individual's birth, requisites of document confirming the right of foreign citizen or stateless citizen to staying (residence)in the territory of the state – member of the Customs Union, the address of the place of residence (registration) or place of staying in the territory of the state – member of the Customs Union;

2) information on monetary instruments, except for traveler's checks, (kind of monetary instrument, name of issuer, dates of issuance and identification number is any);

3) information on the source of monetary funds and (or) monetary instruments, their owners (in cases of the movement of cash monetary funds and (or) monetary instruments not owned by customs applicant), as well as the information on the intended use;

4) information on the route and mode of transportation (type of transport means)of cash monetary funds and (or) monetary instruments.

Articles 7

1. Disputes between the Parties related to interpretation and (or) application of the provisions of this Agreement shall be settled through consultations and negotiations between the Parties.

2. Should any dispute is not settled by the Parties through consultations and negotiations within six months from the date of written request for their conducting sent by one of the Parties to another Party, either Party can bring this dispute for consideration by the Court of Eurasian Economic Community.

3. Customs Union Commission shall provide the Parties with its assistance in

the dispute settlement before its consideration by the Court of Eurasian Economic Community.

Article 8

This Agreement shall have no reservation.

Article 9

As the Parties agree, this Agreement can be amended on the basis of separate minutes which shall be an integral part hereof.

Article 10

This Agreement shall be provisionally applied from the date of its execution, however not earlier than the effective date of the Agreement on the Customs Code of the Customs Union dated 27 of November 2009 and is subject to ratification.

This Agreement shall come into force from the date when a depositary receives through the diplomatic channels the last notice on the implementation by the Parties of internal procedures required for entry of this Agreement into force, but not earlier than the effective date of the Agreement on the Customs Code of the Customs Union dated 27 of November 2009.

Executed in Astana on 5 of July 2010 in one original in Russian.

Original of this Agreement shall be kept by the Customs Union Commission, which is a depositary of this Agreement and will send each Party the certified copy hereof.

On behalf of the Republic of Belarus	*On behalf of the Republic of Kazakhstan*	*On behalf of the Russian Federation*

Hereby I certify that this text is a full and true copy of the Agreement on the procedure for the movement of cash monetary funds and (or) monetary instruments by individuals across the customs border of the Customs Union executed on 5 of July 2010 in Astana:

on behalf of the Republic of Belarus – the President of the Republic of Belarus A.G. Lukashenko;

on behalf of the Republic of Kazakhstan – the President of the Republic of Kazakhstan N.A. Nazarbayev;

on behalf of the Russian Federation – the President of the Russian Federation D.A. Medvedev.

The original is kept at the Customs Union Commission.

Director of Legal Department of the Customs Union Commission Secretariat N.B. Slyusar