

**Regulation on Introduction of Changes on Control Measures of Foreign Trade**  
**in the Customs Union Commission**  
**(as in force on the Customs Union Commission dated March 2, 2011 №553 )**

1. This regulation shall define order and time for consideration control measures of goods in foreign trade with regard to states that are not members of the Customs Union, their agreement and adoption.  
The order and time for consideration offers on special protective, antidumping and countervailing measures on the common customs territory of the customs union, their agreement and adoption shall be determined by a special regulation.
2. The regulation is set on the basis of the provisions as set out in the Rules of procedures of the Customs Union Commission (hereinafter – the Commission), ratified by the decision of EurAsEC Interstate Council (superior body of the Customs Union) on the level of the Heads of States dated November 27, 2009 № 15 (hereinafter – the Rules of the Commission procedure) and the contractual and legal base of the customs union in the field of the customs tariff and nontariff control of foreign trade activity.
3. Propositions on introduction, application, alteration and termination of measures of the customs tariff and nontariff control of goods in foreign trade (hereinafter – propositions on application of control measures) shall be directed to the Secretariat of the Commission of the Customs Union (hereinafter – the Secretariat of the Commission) by the state agencies of member states of the Customs Union, authorized to cooperate with the Commission on foreign trade control (hereinafter – authorized agencies)  
Propositions on application of control measures shall include:  
Appeal of the customs union member state to the customs union commission due to set form (appendix №1 or №2);  
project of the Commission decision;  
explanatory note, containing substantiation of making decision requirement on application of control measures (appendix №3) and statistics (appendix №4).  
In respect to agricultural products, raw materials, food and light industrial goods, manufacturing equipment, goods that are not produced on the common customs territory, indexes as set out in appendix №4, may be corrected.
4. Within 3 working days the Secretariat of the Commission test a received proposition with a view to correspondence to its documents, forming the contractual and legal base of the customs union, and to package contents of submittal.  
In case of proper package contents and correspondence of received proposition to documents forming the contractual and legal base of the customs union, within 3 working days since the date after receiving them the Secretariat of the Commission shall submit received materials for endorsement to the authorized agencies of other member states of the customs council.
5. In case improper package contents of received proposition within 5 working days since the date after receiving them the Secretariat of the Commission shall address to the authorized agencies that submitted the proposition enquiring to provide documents and data as set out in item 3 of this Regulation.  
Absence in the substantiation requiring the application of customs and tariff control measures of several data related to production analysis and market analysis of goods of other members of the customs union or in the framework of the customs union shall not be the basis for enquiring as set out in the first paragraph of this item.  
The authorized agency submitted the proposition after receiving the enquire shall take measures on development of the proposition taking into account comments of the Secretariat of the Commission and its recurrent submitting to the Secretariat of the Commission according to the regulation set in member state of the customs union.
6. In case of discrepancy of received proposition to documents forming the contractual and legal base of the customs union, within 5 working days the Secretariat of the Commission send to the

authorized agency that submitted the proposition a letter with specification to reasons why the proposition cannot be considered.

Distribution of received propositions to the authorized agencies of other member states of the customs union in cases as set out in items 5, 6 of this regulation shall not be made by the Secretariat of the Commission.

7. Within 30 days since the date after receiving proposition on control measures for endorsement from the Secretariat of the Commission the authorized agencies shall submit final reports in respect to present propositions to the Secretariat of the Commission via mail service and also duplicate them via email.
8. Based on final reports and propositions received from the authorized agencies of the member states of the customs union the Secretariat of the Commission forms package of documents including the draft decision prepared by the Secretariat and within 7 working days since the date after receiving final report from the last member state of the customs union send it via mail service and also duplicate them via email to the chairman of the Committee and its members.  
Agreement of draft decision of the Commission considered to be completed after positive conclusion of all member states of the customs union.
9. No later than 20 date before the date of holding the meeting of the Committee together with the Chairman of the Committee the Secretariat of the Commission appoint a date of holding the meeting of the Committee where received proposition shall be considered, and agreement of positions of the member states of the customs union shall be made.
10. No later than 7 days before the meeting of the Committee and after agreement with the Chairman of the Committee the place and agenda of the meeting of the Committee the Secretariat of the Commission send to the Chairman of the Committee and its members the materials to the concerted agenda of a meeting of the Committee which include received propositions on foreign trade control measures via mail service and email.
11. Following the results of consideration of received propositions the Committee prepares the corresponding references of the Commission executed in protocols.  
Based on references of the Committee the Secretariat of the Commission guarantees the organization of the agenda regular session of the Committee.
12. In case if reference not to bring received propositions on control measures at the meeting of the Commission was adopted at the meeting of the Committee before its more detailed study, proposition shall not be included into the agenda of the meeting of the Commission.
13. In case if only one negative final report was addressed to proposition from member state of the customs union, within 10 days since the date after receiving the last final report the secretariat of the Commission shall determine together with the authorized agencies parties the date of holding the meeting of working group of experts of member states of the customs union and shall organize the meeting for endorsement of a draft decision of the Commission.
14. Following the results of the meeting of the working group the Secretariat of the Commission shall execute protocol signed by the representative of experts of each member state of the customs union. The experts have rights to indicate individual opinion in protocol.  
The Secretariat of the Commission shall send Protocol of the meeting of the working group within 3 days to members of the Committee for consideration.  
If the experts did not manage to finalize proposition on control measures it shall be brought for consideration by the Commission at the discretion of the corresponding member state of the customs union.
15. In case of adoption of positive references by the Committee proposition on control measures shall be included into the agenda of that meeting of the Commission which is planned to be held as a rule no sooner than 20 days after the meeting of the Committee.  
The Committee will give information about the results of consideration of proposition on control measures at the meeting of the Commission.
16. In case of receiving proposition on consideration of control measures at regular session of the Commission from the member of the Commission in 2 days the Secretariat of the Commission shall inform the authorized agencies about received proposition and send them copies of documents via email.  
The date of the regular session of the Commission shall be appointed no later than 21 and no sooner than 14 days since the date of sending the members of the Commission propositions on foreign trade control measures.

Meeting of the Committee for preliminary consideration of proposition on control measures included in the regular session of the Commission shall not be held according to the rules of the Commission procedures.

17. Propositions on termination of acting control measures in respect to states that are not included in the Customs Union as a rule shall be considered no sooner than 6 months since the date of introduction of such measures.
18. Propositions of member states of the Customs Union on correction of rates of import customs duties of the Common customs tariff shall be brought into the customs union Commission as and when necessary.