

ORDER
OF THE STATE CUSTOMS COMMITTEE OF THE RUSSIAN FEDERATION
NO. 450 OF JULY 17, 1999
ON THE SPECIAL ASPECTS OF THE CONTROL
OF THE CUSTOMS VALUE OF MOTOR CARS

For the purpose of streamlining the customs clearance of motor cars and on the basis of Articles 174, 180-182 of the Customs Code I order:

1. To approve the Instructions on the Control of the Customs Value of Motor Cars, given in Appendix 1 (hereinafter referred to as the Instructions).

2. The procedure of distributing the powers of control over the customs value of motor cars approved by the State Customs Committee of Russia shall not be extended to the motor cars whose customs clearance is carried out in accordance with the Instructions.

3. After the release of goods the customs agencies shall exercise control over the authenticity of stated information about motor cars whose customs clearance was carried out in accordance with the Instructions, with the use of the accounting cards (Appendix 2), submitted by the participants in foreign economic activity. Copies of such cards shall be sent every quarter to the submissions of the tax inspectorate in the place of registration of the respective participant in foreign economic activity.

4. The Tariff and Non-tariff Regulation Administration shall renew the list of the organizations, indicated in Subitem 6.4 of the Instructions, on a regular basis, to the extent of receiving information from manufacturing companies and by agreement with the Federal Customs Revenues Administration, the Regional Customs Administration for Combating Customs Inspectorate of the State Customs Committee of Russia.

5. The customs inspection teams of the State Customs Committee of Russia, the regional customs administrations or custom-houses shall organize the verification of information submitted by organizations in conformity with the approved Instructions.

6. The Press-Service of the State Customs Committee of Russia shall be instructed to cover the provisions of this Order in mass media.

7. Control over the execution of this Order shall be exercised by V.I. Meshcheryakov, Deputy Chairman of the State Customs Committee of Russia.

8. The present Order shall take effect since August 1, 1999.

Chairman of the Committee
Colonel-General of the Customs Service

M.V.Vanin

Appendix 1
to Order of the State Customs Committee
of the Russian Federation No. 450
of July 17, 1999

Instructions
on the Control of the Customs Value of Motor Cars

In case of the need for making more precise the customs value of imported goods, stated by a declarant, and pursuant to Article 15 of the Law of the Russian Federation on the Customs Tariff Item 2.10 of the Regulations for the Order and the Conditions of the Statement of the Customs Value of Goods Brought into the Territory of the Russian Federation, approved by the Order of the State Customs Committee of Russia No. 1 of January 5, 1994 (registered by the Ministry of Justice of Russia on January 17, 1994, registration number 461) has established the procedure for the granting of goods to the declarant for use, provided that customs payments are made on the basis of the temporary (conditional) appraisal by the respective customs agency.

To simplify this procedure upon the written application of a declarant, motor cars may be released without a temporary (conditional) appraisal with the simultaneous fulfilment of the following conditions:

1. Imported motor cars shall be the cars which are sold by the manufacturer for the first time.

2. Full same of customs payments computed on the basis of the customs value declared by a declarant shall be paid for the imported motor cars.

3. To determine the customs value of imported motor cars, the customs have correctly chosen and applied the method dealing with the price of a transaction in imported goods (Method 1) and all stated information about their customs value has been confirmed by documents.

4. In confirmation of the customs value stated according to method 1 the declarant has submitted the specified invoice that contains the following information about each imported motor car:

- its make;
- its model and modification;
- its identification number (VIN);
- the type of a car [a passenger vehicle or a car with increased cross-country ability (all-road), minibus (light lorry or passenger-and-freight lorry)];
- the type of a body and the number of doors;
- the type of an engine (moor gasoline, diesel and others);
- engine displacement in cum.;
- engine power in kWt/h.p.;
- colour;
- the full list of the production facilities which form the base set of a given model (modification) of a car;
- the full list of auxiliary (to the base set) equipment.

5. The invoice submitted by the declarant shall correspond to the sample presented by the manufacturing company to the State Customs Committee of Russia and sent by the Tariff and Non-tariff Regulation Administration (TNRA) of the State Customs Committee of Russia for official use to the customs agencies authorized to carry out the customs clearance of motor cars.

6. The organization that answers the following requirements shall be a person moving goods:

6.1. The organization shall bring in motor cars under a written contract of purchase and sale, concluded with the respective manufacturing company of its trading and production branch.

6.2. The organization shall conclude with the company producing motor cars a written agreement with the specified conditions of the sale of cars by the manufacturer and the conditions of their sale on the territory of the Russian Federation, including the order of guaranteed and subsequent service, the rights, duties and responsibilities of the parties and the

validity term of the agreement.

The agreement shall be presented by a declarant to the customs agency that carried out customs clearance.

6.3. The organization shall sell by retail motor cars of a manufacturing company on a permanent basis, which fact shall be confirmed by the conditions and the validity term of the agreement indicated in Subitem 6.2 of the present Instructions.

6.4. Information about the organization concerned shall be submitted by the company producing motor cars to the State Customs Committee of Russia according to the form cited in the Appendix to the present Instructions. On the basis of this information the organization shall be included in the list of organizations, which is made by the Tariff and Non-tariff Regulation Administration of the State Customs Committee of Russia by agreement with the Federal Customs Revenues Administration, the Regional Customs Administration for Combating Customs Offences and the Customs Inspectorate of the State Customs Committee of Russia and together with the samples of invoices shall be sent for official use to the customs agencies authorized to carry out the customs clearance of motor cars.

6.5. The organization shall not have the debts for customs payments and fines imposed by customs agencies for breaking the customs rules.

6.6. The organization shall undertake to submit information about the importation and sale of motor cars every month, before the 10th of each month succeeding the reporting month to the submission of the customs agency responsible for the control of customs value and customs clearance according to the form cited in Appendix 2 to the Order of the State Customs Committee of Russia No. 450 of July 17, 1999.

Appendix
to the Instructions on the Control
of the Customs Value of Motor Cars,
approved by the Order
of the State Customs Committee
of the Russian Federation No. 450
of July 17, 1999

Information About the Organizations Carrying out
the Customs Clearance of Motor Cars

(the manufacturing company that submitted information

the make of imported cars)

Information is submitted on _____

(day, month, year)

	Information about Russian organizations		The customs agency	
	Nos Full offi-		Legal	
			Actual	
			Full	
			activity the organi-	

1	2	3	4	5	6

* In column 6 it is necessary to indicate the custom-house or the customs post. If the customs agency in the zone of whose activity the organization is located and the customs clearance body do not coincide, it is necessary to indicate both bodies and the reasons for discrepancy.

- Appendices:
1. Samples of invoices put up for the said Russian organizations.
 2. The sample of the agreement (dealer's agreement, distributor's agreement, etc.) that is concluded with Russian organizations by the manufacturing company (with a translation into Russian).
 3. The schedule of prices at which the Russian organizations listed in the Table buy motor cars from a manufacturing company

(signature, full name and post of the person who has sent information to the State Customs Committee of Russia on behalf of the manufacturing company concerned

Appendix 2
to the Report of the State Customs Committee
of the Russian Federation No. 450
of July 17, 1999

(name of the regional customs administration)

(name of the custom-house)

The Card of Accounting the Information and Sale
of Motor cars for the Month
of _____ and the year of _____

Name and ACEO code of the importing firm
 Number and date of the dealer's (distributor's or other) agreement

Nos	Number of a cargo customs declaration (CCD) The Central Bank's exchange rate on the day of accepting CCD	Name of the model and name of a motor car	VIN	Number and date of an invoice. (Price under the contract of purchase and sale in the currency of the contract and in dollars at the Central Bank's CCD exchange rate on the day of acceptance of CCD.	Stated customs value in roubles or in dollars at the Central Bank's exchange rate on the day of acceptance of CCD
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1 2 3 4 5 6

Number and date of the contract of purchase and sale

... rbls./\$... Number and date of an invoice ... rbls. ... \$... cur. of the contract ... \$

... Number and date of an invoice ... rbls. ... \$... cur. of the contract ... \$

Nos	The sum of customs payments in rbls. or the Cent-	The price of sale in rbls. or the price of	Name, number and date of a document confirming the price of	Accounting markup in rbls. or % of settlement in rbls. or	Note
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1	7	8	9	10	11	12
in \$ at	ral Bank's	sales (state-	clmn.6	in \$		
the Cent-	exchange	ment-account	clmn.7	(clmn. 10		
ral Bank's	rate on	or purchase-	clmn. 8			
exchange	the date	and-sale		x 100%)		
rate on	of sales	contract and				
the day of		invoice)				
accepting						
CCD						
... rbls.	... rbls. rbls	...%(rbls)		
... \$... \$... \$...%(\$)		
... rbls.	... rbls. rbls	...		
... \$... \$... \$			

By reference

Total from the beginning of the year			
Number of Motor cars imported			
a comple-			
ted CCD	total	of which	Balance
		sold	clmn.2-clmn.2
1	2	3	4

Note.

Column 5 shall be filled in three lines: in the first line it is necessary to indicate the number and the date of the respective invoice, in the second line - the price of a motor car under the contract of purchase and sale in the currency of the contract, and in the third line - the price of a motor car in US dollars at the exchange rate of the Central Bank of Russia on the day of the acceptance of a cargo customs declaration. Columns 6-8 and 10 shall be filled in two lines: in the first line it is necessary to indicate the corresponding sum in roubles and in the second - in US dollars. In column 9 it is necessary to indicate the number and the date of a statement-account, completed in the statutory manner to confirm the purchaser's rights of ownership, or the number and the date of the contract of purchase and sale and the invoice, if the given motor car is sold as part of a wholesale consignment on the home market. In the latter case it is necessary to indicate in column 12 the essential elements of the buyer (name, address, TIN and ACEO code) in the invoice, drawn up in conformity with the requirements of the Decision of the Government of the Russian Federation No. 914 of July 29, 1996. Column 11 shall be filled in in two lines; in the first line it is necessary to give the calculated a markup according to the magnitudes in roubles in columns 8 and 10 and to put down the word "rbls." after the sign %; in the second line it is necessary to give the calculated markup according to the magnitudes in US dollars and to put

down \$ after the sign %. If one of the values in column 11 is greater than 25 per cent, then in column 12 it is necessary to indicate the well-founded reasons. By reference at the end of the card it is necessary to cite in progressive total the data on the number of cargo customs declaration, completed since the beginning of the year and on the number of imported cars (with an indication of the number of sold and unsold cars).