

**ORDER
OF THE STATE CUSTOMS COMMITTEE OF THE RUSSIAN FEDERATION
NO. 125 OF FEBRUARY 7, 2003
ON THE APPROVAL OF THE REGULATIONS ON THE PROCEDURE
FOR ADOPTING PRELIMINARY DECISIONS
ON THE COUNTRY OF ORIGIN OF COMMODITIES**

Order of the State Customs Committee of the Russian Federation No. 920 of August 22, 2003 abolished this Order as of January 1, 2004

To improve the procedure for the customs formalization of commodities, taken across the customs border of the Russian Federation and on the basis of [Article 393](#) of the Customs Code of the Russian Federation (Vedomosti Syezda Narodnykh Deputatov Rossiyskoy Federatsii i Verkhovnogo Soveta Rossiyskoy Federatsii, No. 31, 1993, Item 1224; Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 26, 1995, Item 2397; No. 1, 1996, Item 4; No. 30, 1997, Item 3589; No. 47, Item 5341; No. 7, 1999, Item 879; No. 1 (Part 1), 2002, Item 2; No. 22, 2002, Item 2026; No. 27, 2002, Item 2620, I hereby order:

1. The approval of the hereto enclosed [Regulations](#) on the Procedure for Adopting Preliminary Decisions on the Country of Origin of Commodities.

2. That the Press Service (I.I. Skibinskaya) shall provide for elucidating the present Order in the mass media.

3. That control over the execution of the present Order shall be exerted by A.A. Kaulbars, Deputy Chairman of the State Customs Committee of Russia.

This Order shall enter into force after the expiry of 30 days as from the day of its [official publication](#).

According to [Letter](#) of the State Customs Committee of the Russian Federation No. 14-10/14764 of April 7, 2003 this Order shall enter into force as of April 21, 2003

Chairman of the Committee,
Full State Councillor
of the Customs Service
of the Russian Federation

M.V. Vanin

Registered by the Ministry of Justice of the Russian Federation on March 18, 2003.
Registration No. 4273

**Appendix
to [Order](#) of the State Customs Committee
of the Russian Federation
No. 125 of February 7, 2003
Appendix**

**Regulations
on the Procedure for Adopting Preliminary Decisions
on the Country of Origin of Commodities**

See also Orders of the State Customs Committee of the Russian Federation [No. 254](#) of March 30, 2000 and [No. 1220](#) of December 21, 2001 on the adoption of preliminary decisions on the classification of commodities in conformity with the [Commodity Classifier](#) of Foreign Economic Activity of the Russian Federation

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I. General Provisions

1. The State Customs Committee of the Russian Federation, the regional customs boards (hereinafter in the Russian text referred to as the RTU) of the Russian Federation and the individual custom houses of the Russian Federation, identified by the State Customs Committee of the Russian Federation (hereinafter referred to as the customs bodies), in conformity with [Articles 393-396](#) of the Customs Code of the Russian Federation (Vedomosti Syezda Narodnykh Deputatov Rossiyskoy Federatsii i Verkhovnogo Soveta Rossiyskoy Federatsii, No. 31, 1993, Item 1224; Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 26, 1995, Item 2397; No. 1, 1996, Item 4; No. 30, 1997, Item 3586; No. 47, Item 5341; No. 7, 1999, Item 879; No. 1 (Part 1), 2002, Item 2; No. 22, 2002, Item 2026; and No. 27, 2002, Item 2620) may adopt a preliminary decision on the country of origin of a commodity (hereinafter referred to as a preliminary decision).

2. The present Regulations on the Procedure for Adopting Preliminary Decisions on the Country of Origin of Commodities (hereinafter referred to as the Regulations) establish the procedure for the adoption of preliminary decisions in respect of concrete commodities, produced in the course of a definite stretch of time by one and the same manufacturer in one and the same organization with the use of one and the same production technology.

3. A preliminary decision shall be adopted by the customs body at the written application of an interested person before the moment of presentation of the commodity to the customs body for customs formalization and customs control.

4. The customs body shall adopt a preliminary decision on whether the commodity was completely manufactured or was sufficiently processed in a concrete country in conformity with the criteria, laid down in the [international acts](#) of the Russian Federation or in the acts of the legislation of the Russian Federation concerning the [rules](#) for identifying the country of origin of commodities.

5. For the purposes of implementation of the present Regulations, an interested person is the owner of the commodity, its buyer or possessor, or a person acting in another capacity, which is sufficient in conformity with the legislation of the Russian Federation for carrying out with the commodity the actions stipulated in the [Customs Code](#) of the Russian Federation on his own behalf, or a customs broker (hereinafter referred to as the interested person).

6. A preliminary decision is valid in the course of one year as from the day of its adoption.

II. Filing an Inquiry about the Adoption of a Preliminary Decision

7. To receive a preliminary decision, the interested person shall send a written inquiry about identifying the country of origin of the commodity of a designation (hereinafter referred to as an inquiry) to the Chief Board for Tariff and Non-Tariff Regulation (hereinafter referred to in the Russian text as the GUTNR) under the State Customs Committee of Russia, to the regional customs board or to a customs house, compiled in accordance with the sample ([Appendix 1](#)).

8. An inquiry shall contain all information, documents and materials, necessary for the adoption

of a preliminary decision. To the inquiry shall be attached test pieces (sample) of the commodity, its description, photographs, drawings and drafts, as well as commercial and the other documents, containing necessary information on the commodity (for example, the technological schemes of its manufacture, the originals of conclusions, arrived at by specialists from customs laboratories and from the other organizations, in which are cited the results of the study of the given test pieces (sample) of the commodity, necessary for identifying the country of origin).

9. An inquiry from a legal entity shall be signed by the head (by the deputy head) of the organization, with an indication of his surname, name and patronymic, as well as of his post; it shall also contain data on the location of the organization, the OKPO code and the tax payer identification number (the INN in the Russian text).

An inquiry from a natural person shall be signed by the above-mentioned person and shall contain the data on his place of residence, as well as information on the passport (the number and series, by whom and where issued, and the date of issue). In the inquiry may also be given the tax payer identification number (the INN).

A written inquiry, not meeting the demands of the present Item, shall not be considered.

10. If the information, the documents and the materials presented by an interested person are insufficient for the adoption of a preliminary decision, the customs body shall inform the interested person on the necessity to submit additional information, documents and materials. If these are not submitted, the customs body has the right to leave the inquiry without consideration.

11. The inquiry shall be rejected if it is impossible to formulate a preliminary decision on the basis of information supplied by the interested person, about which the interested person shall be informed in writing.

12. The rejection of an inquiry about the adoption of a preliminary decision is not subject to appeal.

III. Adoption of a Preliminary Decision

13. Preliminary decisions shall be passed on behalf of the State Customs Committee of Russia by the Chief Board for Tariff and Non-Tariff Regulation.

14. A preliminary decision shall be adopted within the time term of up to 90 days as from the day of arrival of the inquiry at the customs body. If it is necessary to supply additional information, documents and materials about the commodity, this time term shall be counted as from the day of arrival at the customs body of the last document, containing information necessary for the adoption of a preliminary decision.

15. A preliminary decision shall be formalized on a special blank with the signature of the head of the customs body or of his deputy.

The first copy of the preliminary decision ([Appendix 2](#)) shall be issued (forwarded) to the applicant, the second copy ([Appendix 3](#)) shall be held by the Chief Board for Tariff and Non-Tariff Regulation or shall be sent to the Chief Board for Tariff and Non-Tariff Regulation by the regional customs board (by the custom house), and the third copy ([Appendix 4](#)) shall be held by the regional customs board (at the customs house) that issued it.

16. If the applicant loses the preliminary decision, it may be restored by the issue of a duplicate of the earlier issued preliminary decision. To receive the duplicate, the interested person shall forward to the customs body that issued the relevant preliminary decision, a written application, containing a reference to the lost decision. In column 9, "For official notes", of the blank of the preliminary decision the customs body shall make the note, Duplicate.

IV. Cancellation or Amendment of a Preliminary Decision

17. A customs house may cancel, amend or recall a decision it has adopted.

A regional customs board may cancel, amend or recall the decision, taken by itself or by a subordinate customs house.

The State Customs Committee may cancel, amend or recall a preliminary decision adopted by itself, by the regional customs board or by a customs house.

18. A preliminary decision may be cancelled, if such decision is passed on the grounds of incomplete or inaccurate information supplied by an interested person.

19. A preliminary decision may be amended in connection with:

- putting into operation international treaties of the Russian Federation, which have a bearing on the issues of identification of the country origin of commodities;

- an entry into force of acts of the legislation of the Russian Federation, concerning the [rules](#) for identifying the country origin of commodities.

20. The decision on the cancellation or amendment of a preliminary decision shall enter into force as from the day of adoption of such decision.

21. A preliminary decision may be recalled in connection with:

- the exposure of an error, made in the adoption of the preliminary decision;

- the adoption by the State Customs Committee of Russia of a decision on the origin of the commodity, obligatory for all customs bodies and participants in foreign economic activity, which is different from the formerly taken preliminary decision in respect of such commodity.

22. The customs body that recalls a formerly passed preliminary decision shall adopt a new preliminary decision and issue it to the interested person without collecting any payment.

23. The decision on the recall of a preliminary decision shall come into force after an expiry of two months as from the day of taking the decision on such recall.

24. A decision on the cancellation, amendment or recall of a preliminary decision shall be brought to the knowledge of the interested person and of the customs bodies.

25. The cancellation, amendment or recall of a preliminary decision is not subject to appeal.

V. Collection of Payment for the Adoption of a Preliminary Decision

On the procedure for collection of the payment for the adoption of a preliminary decision see [Letter of the State Customs Committee of the Russian Federation No. 01-06/17086 of April 22, 2003](#)

26. For the adoption of a preliminary decision a fee in the amount of 500 roubles shall be collected.

27. The fee for the adoption of a preliminary decision shall be entered by the interested person onto an account, indicated by the State Customs Committee of Russia.

28. The payment document, certifying payment of the fee for the adoption of a preliminary decision, shall be submitted to the customs body simultaneously with an inquiry.

29. The monetary funds paid for the adoption of a preliminary decision are not subject to return if the customs body has accepted an inquiry from the interested person.

30. No payment shall be collected for the restoration of a lost preliminary decision.

31. In the case of cancellation, amendment or recall of a preliminary decision, the fee, paid for its adoption is not subject to return if the applicant has made use of this decision or has supplied incomplete or inaccurate information.

32. The study or the test of the samples (test pieces) of commodities in customs laboratories and in other laboratory organizations shall be carried out on a contractual basis in accordance with the established order.

VI. Final Provisions

33. Information, obtained from an inquiry from the interested person, which is a commercial or other legally-protected secret, as well as confidential information, is not subject to divulgence or to handing over without the consent of the interested person to the third persons and state bodies, with the exception of the cases stipulated in the legislative acts of the Russian Federation.

The submitted information shall be seen as confidential in the cases stipulated in the legislation of the Russian Federation.

The interested person shall warn in his inquiry about the above-said character of the submitted information.

34. For customs formalization and customs control the original of the preliminary decision shall be used.

Appendix 1
to the Regulations on the Procedure
for Adopting Preliminary Decisions on
the Country of Origin of Commodities

Sample

Inquiry
on the Adoption of a Preliminary Decision
on the Country of Origin of Commodities

To the head (to the deputy head) of the customs body

Applicant's surname, name and patronymic (for natural persons)

Full postal address (for natural persons)

Name of the organization, or surname, name and patronymic of the head (for legal entities)

Location of the legal entity and its postal address

Tax payer Identification No. (for legal and natural persons alike)

No. and series of the passport, by whom and where it is issued (for natural persons)

OKPO code (for legal entities)

I hereby request the issue of a preliminary decision on the country of origin of the commodity named below.

Brief Information Supplied by the Applicant for
the Adoption of a Preliminary Decision
on the Country of Origin of a Commodity

An inquiry about the receipt of a preliminary decision on the country of origin of a commodity shall contain all information and documents, necessary for passing a preliminary decision on the country of the commodity's origin and, if such exists, also the certificate on the origin of the commodity.

With the inquiry shall be enclosed: test pieces (sample) of the commodity, its description, photographs, drawings and drafts, the commercial and the other documents, containing necessary information on the commodity (for example, the technical passport and the technological schemes for its manufacture; the protocols of tests, the acts of expert examination of chambers of industry and commerce or of other expert enterprises of the country of manufacture of the commodity, the conclusions of specialists from the customs laboratories and from other organizations, in which the results of the study of the given test pieces (sample) of the commodity are presented, or any other documents, testifying to the fact that the given commodity is completely manufactured or was subjected to sufficient processing on the territory of the country of origin).

The authenticity of the certificates, presented with the inquiry on the origin of the commodity, made out in accordance with Form A for commodities from developing and least developed

countries, may be certified in conformity with the norms of international law.

The date.....
signature of the interested person

Appendix 2
to the Regulations on the Procedure
for Adopting Preliminary Decisions on
the Country of Origin of Commodities

Sample

State Customs Committee of the Russian Federation

Preliminary Decision on the Country
of a Commodity's Origin

1 Copy for the in- ter- est- ed- per- son	1. Name of the customs body, that issued the preliminary decision	2. Interested person
	3. Registration No.	4. Date of issue (day, month and year)
	5. Name of the commodity	6. Country's of the commodity's origin
1	7. Information of the commodity, necessary for the identifying the country of origin	
	8. Substantiation for the issue of the decision	

9. For official notes		
10. Signature of the official of the customs body that issued the preliminary decision		
..... (post) (signature) (initials and surname)

Appendix 3
to the Regulations on the Procedure
for Adopting Preliminary Decisions on
the Country of Origin of Commodities

Sample

State Customs Committee of the Russian Federation

**Preliminary Decision on the Country
of a Commodity's Origin**

2 — Copy for the State Cus- toms Com- mi- tee of the RF	1. Name of the customs body, that has issued the preliminary decision	2. Interested person
	3. Registration No.	4. Date of issue (day, month and year)
	5. Name of the commodity	6. Country's of the commodity's origin
2	7. Information of the commodity, necessary for the identifying the country of origin	

8. Substantiation for the issue of the decision
9. For official notes
10. Signature of the official _____ of the customs body that issued the preliminary decision
<div style="display: flex; justify-content: space-between; margin-top: 10px;"> (post) (signature) (initials and surname) </div>

Appendix 4
to the [Regulations](#) on the Procedure
for Adopting Preliminary Decisions on
the Country of Origin of Commodities

Sample

State Customs Committee of the Russian Federation

**Preliminary Decision on the Country
of a Commodity's Origin**

3 _____ Copy for the cus- toms body	1. Name of the customs body that issued the preliminary decision	2. Interested person
	3. Registration No.	4. Date of issue (day, month and year)
	5. Name of the commodity	6. Country's of the commodity's origin
3		

7. Information of the commodity, necessary for the identifying the country of origin

8. Substantiation for the issue of the decision

9. For official notes

10. Signature of the official of the customs body that issued the preliminary decision

.....
(post)

.....
(signature)

.....
(initials and surname)