

**DECREE OF THE PRESIDENT OF THE RUSSIAN FEDERATION NO. 26
OF JANUARY 11, 2007 ON PERFECTING THE STATE REGULATION
OF THE IMPORTATION INTO AND EXPORTATION FROM THE
RUSSIAN FEDERATION OF PRECIOUS METALS AND PRECIOUS
STONES**

For the purpose of perfecting the state regulation of the importation into and exportation from the Russian Federation of precious metals and precious stones I hereby decree as follows:

1. To establish that the exportation from the Russian Federation, in the customs regime of re-export, of natural diamonds (except for unique natural diamonds and natural diamonds having the form of "bort" and "drilling", irrespective of their sizes and the degree of working, diamonds of sieve classes "-3+2" and below), refined platinum and metals of the platinum group in the form of bars, plates, powder and granules, and also nuggets of precious metals, unwrought precious metals, ores and concentrates of precious metals, raw-material goods containing precious metals, scrap and wastes of precious metals, shall be effected without any quantitative restrictions on the basis of licences issued by the Ministry of Economic Development and Trade of the Russian Federation.

2. To amend the acts of the President of the Russian Federation by the list according to the Annex.

3. This Decree shall enter into force from the day of its signature.

President of the Russian Federation

Vladimir Putin

The Kremlin, Moscow
No. 26
January 11, 2007

**Annex to Decree
of the President of the Russian Federation
No. 26 of January 11, 2007**

**List of Amendments Introduced into Acts of the President of the
Russian Federation**

1. In the Regulations on the Importation into and Exportation from the Russian Federation of Precious Metals, Precious Stones and Raw-Material Goods Containing Precious Metals approved by Decree of the President of the Russian Federation No. 742 of June 21, 2001 on the Procedure for the Importation into and Exportation from the Russian Federation of Precious Metals and Precious Stones (Sobraniye Zakonodatelstva Rossiyskoy

Federatsii, 2001, No. 26, item 2653; 2002, No. 32, item 3167; 2003, No. 40, item 3844):

1) in Item 1:

paragraph one shall be set forth in the following wording:

"1. These Regulations determine the procedure for the importation into the customs territory of the Russian Federation (hereinafter referred to as the importation to the Russian Federation) and for the exportation from the customs territory of the Russian Federation (hereinafter referred to as the exportation from the Russian Federation) of precious metals, precious stones by the Lists according to Annexes No. 2 and 3 (hereinafter referred to as precious metals and precious stones), unwrought precious metals, scrap and wastes of precious metals, ores and concentrates of precious metals and raw-material goods containing precious metals by the List according to Annex No. 5 (hereinafter referred to raw-material goods).";

in paragraph two, the words "in Annexes No. 1-5" shall be replaced with the words "in Annexes No. 2, 3 and 5";

2) Item 3 shall be invalidated;

3) Item 4 shall be set forth in the following wording:

"4. Exportation from the Russian Federation in the customs regime of export (hereinafter referred to as export) of precious metals and precious stones indicated in Annexes No. 2 and 5 to these Regulations, shall be effected without any quantitative restrictions on the basis of licences issued by the Ministry of Economic Development and Trade of the Russian Federation.";

4) Items 6-8 and 10 shall be invalidated;

5) in Item 11 the words "in Annexes No. 1 and 2" shall be replaced with the words "in Annex No. 2";

6) in Item 13 the words "State Customs Committee of the Russian Federation" shall be replaced with the words "Federal Customs Service";

7) Subitem (e) of Item 15 shall be supplemented with the words "- with respect to the indicated precious metals owned by them";

8) in Item 18 the words "State Customs Committee of the Russian Federation" shall be replaced with the words "Federal Customs Service";

9) Item 20 shall be invalidated;

10) Items 21 and 22 shall be set forth in the following wording:

"21. The export of refined platinum and metals of the platinum group in the form of bars, plates, powder and granules, and also ores, concentrates, scrap and wastes containing platinum and metals of the platinum group, shall be carried out by the federal state unitary enterprise Foreign-Economic Association "Almazyuvelirexport" under commission agreements concluded with:

a) the Central Bank of the Russian Federation (with respect to the said precious metals that are in its assets or are being acquired by it);

b) credit organisations having a licence of the Central Bank of the Russian Federation for performing operations with precious metals (with respect to the said precious metals owned by them);

c) entities of the mining of precious metals (with respect to the said precious metals owned by them in connection with the carrying out by them of the mining of precious metals);

d) entities of the production of precious metals (with respect to the said precious metals owned by them in connection with the carrying out by them of production of precious metals);

e) Russian participants of foreign-trade activity (with respect to the said precious metals owned by them).

22. The Ministry of Finance of the Russian Federation shall exercise control over the observance by its jurisdictional federal state unitary enterprise Foreign-Economic Association "Almazyuvelirexport" of the principles of non-discrimination and fair commercial practice, preventing any cases of unjustified refusal or evasion by that enterprise to conclude contracts, and shall also establish the maximum rates of commission remuneration collected by that enterprise from the organisations indicated in Item 21 of these Regulations.";

11) in paragraph two of Item 27 the word "state" shall be replaced with the words "federal state";

12) Item 28 shall be set forth in the following wording:

"28. The export of nuggets of precious metals shall be carried out by the entities of their mining and also by Russian participants of foreign-trade activity without any quantitative restrictions on the basis of licences issued by the Ministry of Economic Development and Trade of the Russian Federation.";

13) Item 30 shall be set forth in the following wording:

"30. The documents confirming the results of the exercise of state control shall be drawn up by state controllers of the Ministry of Finance of the Russian Federation and shall be obligatory for carrying out the customs clearance and customs control, except for the formalisation of the procedure of the internal customs transit and also of the international customs transit and re-export (in the event that to the customs regime of re-export are stated precious metals and precious stones that have come to the customs territory of the Russian Federation, are at a checkpoint on the state border of the Russian Federation or in another zone of customs control situated in the immediate proximity to the checkpoint, and are not placed under any customs regime or a special customs procedure).";

14) in paragraph one of Item 36, the words "in Annexes No. 1-4" shall be replaced with the words "in Annexes No. 2 and 3";

15) in paragraph four of Item 37, the word "state" shall be replaced with the words "federal state";

16) in Item 41:

in paragraph two, the words "in Annexes No. 1-3" shall be replaced with the words "in Annexes No. 2 and 3, the words "in Annex No. 4" shall be replaced with the words "in Annex No. 5";

in paragraph three, the words "in Annexes No. 1-3" shall be replaced with the words "in Annexes No. 2 and 3;

in paragraph four, the words "in Annexes No. 1-3" shall be replaced with the words "in Annexes No. 2 and 3, the words "in Annex No. 4" shall be replaced with the words "in Annex No. 5";

17) in Item 42:

in paragraph one, the words "under the customs control" shall be replaced with the words "for internal consumption";

paragraph two shall be set forth in the following wording:

"In the importation to and exportation from the Russian Federation of precious metals and precious stones and also of raw-material goods for processing, the declarant of the customs regime shall, in agreement with the customs body of the Russian Federation, determine the norms of the yield of the processing products for the customs purposes proceeding from the actual conditions under which is carried out the processing of the precious metals and precious stones. The procedure for determining the norms of the yield of processing products for the customs purposes shall be established by the Ministry of Finance of the Russian Federation.";

18) in Item 43:

in paragraph one the words "for free circulation, transit, a shop" shall be replaced with the words "for internal consumption, international customs transit,";

paragraphs two and three shall be set forth in the following wording:

"It shall be permissible to import to and export from the Russian Federation precious metals (except for those indicated in Annex No. 5 to these Regulations) and precious stones in the customs regimes of temporary importation and temporary exportation.

The exportation from the Russian Federation of precious metals and precious stones in accordance with the customs regimes of temporary exportation, international customs transit, processing outside the customs territory and re-export and also the export of processing products, wastes and remainder of goods placed under the customs regime of processing on the customs territory, wastes of the destruction of goods placed under the customs regime of destruction, shall be carried out in accordance with the Customs Legislation of the Russian Federation without any quantitative restrictions and licences issued by the Ministry of Economic Development and Trade of the Russian Federation.";

a paragraph shall be added reading as follows:

"It shall be permissible to transfer precious metals, precious stones and raw-material goods having, for the customs purposes, the status of Russian goods, between the customs bodies of the Russian Federation through the territory of a foreign state in accordance with the special

customs Regime of transfer of Russian goods between the customs bodies through the territory of a foreign state.";

19) in Item 44 the words "in Annexes No. 1-5" shall be replaced with the words "in Annexes No. 2, 3 and 5";

20) Item 45 shall be set forth in the following wording:

"45. The customs clearance of precious metals and precious stones indicated in Annexes No. 2 and 3 to these Regulations, unwrought precious metals, ores and concentrates of precious metals (CC FEA code 2616), scrap and waste of precious metals (CC FEA code 7112) indicated in Annex No. 5 to these Regulations, imported to and exported from the Russian Federation, shall be carried out at specialised customs posts and at specialised sections of the customs bodies of the Russian Federation with obligatory participation of state controllers of the Ministry of Finance of the Russian Federation, except for the cases stipulated by paragraph three of this Item.

The creation of specialised customs posts and specialised sections of the customs bodies of the Russian Federation that conduct the customs clearance of precious metals and precious stones, shall be carried out by the Federal Customs Service in agreement with the Ministry of Finance of the Russian Federation.

The customs bodies of the Russian Federation situated at checkpoints on the state border of the Russian Federation can perform the customs operations connected with the formalisation of the procedure of internal customs transit and re-export (in the event that to the customs regime of re-export there are declared precious metals and precious stones that have come to the customs territory of the Russian Federation, that are at a checkpoint on the state border of the Russian Federation or in another zone of customs control situated in immediate proximity to a checkpoint and have not been placed under any customs regime or special customs procedure).

It shall be permissible to conduct certain customs operations by such customs bodies in whose area of activity are situated duty-free shops, except for the customs operations performed in the declaring of goods.";

21) in Item 46 the words "State Customs Committee of the Russian Federation" shall be replaced with the words "Federal Customs Service";

22) in Item 47:

in Subitem (a):

in paragraph two the words "State Committee of the Russian Federation for Standardisation and Metrology" shall be replaced with the words "Federal Agency on Technical Regulation and Metrology";

paragraph three shall be set forth in the following wording:

"resolutions of the Ministry of Finance of the Russian Federation and the Ministry of Industry and Energy of the Russian Federation on the possibility (impossibility) and economic suitability (unsuitability) of industrial

extraction of precious metals from raw-material goods in the Russian Federation;"

Subitems (b) and (c) shall be set forth in the following wording:

"b) the export of raw-material goods shall be effected in accordance with the legislation of the Russian Federation without any quantitative restrictions on the basis of licences issued by the Ministry of Economic Development and Trade of the Russian Federation;

c) the export of raw-material goods in the form of unwrought precious metals, ores and concentrates of precious metals, scrap and wastes of precious metals shall be permissible in case of conformity of the value of exported metals (the price of the transaction) established in the foreign-trade agreement to the value of the metals whose extraction by an industrial method is economically suitable, minus the outlays on their transportation and processing;"

in Subitem (f):

in paragraph one the words "Ministry of Industry, Science and Technologies of the Russian Federation" shall be replaced with the words "Ministry of Industry and Energy of the Russian Federation";

paragraph two shall be set forth in the following wording:

"In the importation to and exportation from the Russian Federation of raw-material goods for processing, the declarant of the custom regime shall, in agreement with the customs body of the Russian Federation, determine the norms of the yield of the processing products for the customs purposes proceeding from the actual conditions under which is carried out the processing of precious metals and precious stones. The procedure for determining the norm of the yield of processing products for the customs purposes shall be established by the Ministry of Finance of the Russian Federation.";

23) paragraph one of Subitem (b) of Item 48 shall be set forth in the following wording:

"b) precious metals and precious stones intended for personal, family, domestic and other needs, not associated with the carrying out of business activity, of natural persons. In this case, the total value of exported precious metals and precious stones must not exceed an amount equivalent to 10 000 US dollars. The total value of exported precious metals and precious stones shall not include the value of precious metals and precious stones that were earlier imported into and also temporarily exported from the Russian Federation by natural persons.";

24) Annex No. 1 shall be invalidated;

25) Annexes No. 2 and 3 shall be set forth in the following wording:

**Annex No. 2 to the Regulations
on the Importation into and Exportation
from the Russian Federation of Precious Metals**

List
of Precious Metals and Precious Stones Whose
Export from the Russian Federation Is to Be Effected
without Any Quantitative Restrictions on the Basis of
Licences

Note	Short name of commodity	CC FEA code	
	Unwrought gold and refined gold and silver	7106 10 000 0	only
	silver* of bars,	7106 91 100 0	in the form
	powder and granules	7108 11 000 0	plates,
	gold used for	7108 12 000 0	and also
		7108 20 000 0	coinage
	Unwrought platinum and refined platinum and	7110 11 000 0	only
	metals of the platinum the platinum group	7110 21 000 0	metals of
	group of bars, plates,	7110 31 000 0	in the form
	granules	7110 41 000 0	powder and
		7110 19 100 0	
		7110 29 000 0	
	Unwrought precious refinable nuggets	7106, 7108,	only non-
	metals	7110	

Natural pearls	7101 10 000 0	
Unworked and worked	7103 10 000 0	
natural precious stones	7103 91 000 0	
	7103 99 000 0	
Other mineral substances amber	2530 90 980 0	only unique formations

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* Except for gold and silver exported by the Central Bank of the Russian Federation.

**Annex No. 3 to the Regulations
on the Importation into and Exportation
from the Russian Federation of Precious Metals**

**List
of Precious Metals and Precious Stones Whose
Export
from the Russian Federation Is to Be effected
without
Any Quantitative Restrictions and
Licences**

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| Short name of commodity |
CC FEA code |
|-----+-----
| Precious metals in the form of products and | 2843
10 |
| articles | 2843
21 000 0 |
| | 2843
29 000 0 |
| | 2843
30 000 0 |

			2843
90			7106
10 000 0*			7106
92*			7108
13*			7110
19*			7110
29 000 0*			7110
39 000 0*			7110
49 000 0*			7113
			7114
			7115
			9003
19 100 0			9021
29 000 0**			9113
10 100 0			9608
10 300 0			9608
39 100 0			3006
40 000 0***			7107
00 000 0			7109
00 000 0			7111
00 000 0			
8544***			
9101***			

9102***		
9103***		
9105***		
9111***		
9112***		
Articles of industrial-and-technical purpose		6804
21 000 0		
of precious stones		8205
		8207
		8522
90 300 0		
Articles of precious stones and natural pearls		7116
20		
		7116
10 000 0		
Coins		
7118***		

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*Except for refined precious metals in the form of bars, plates, powder and granules and also unwrought forms.

**Only of precious metals or rolled precious metals.

***Only of precious metals whether or not clad with precious stones.";

26) Annex No. 4 shall be invalidated;

27) Annex No. 5 shall be set forth in the following wording:

**Annex No. 5 to the Regulations
on the Importation into and Exportation
from the Russian Federation of Precious Metals**

**List
of Unwrought Precious Metals, Scrap and
Wastes
of Precious Metals, Ores and Concentrates of
Precious Metals
and Raw-Material Goods Containing Precious
Metals**

Short name of commodity	CC FEA code
Note	
Ores, concentrates and	2603 00 000 0
ash of non-ferrous metals	2604 00 000 0
	2607 00 000 0
	2608 00 000 0
	2609 00 000 0
	2617
	2620 19 000 0
	2620 21 000 0
	2620 29 000 0
	2620 30 000 0
	2620 99 100 0
	2620 99 950 1
	2620 99 400 0
	2620 99 950 2
	2620 91 000 0
	2620 99 950 3
	2620 99 950 9
	2621

Semi-products of the	7401 00 000 0	
manufacture of	7402 00 000 0	
non-ferrous metals	7501	
	7801 99 100 0	
Ores, concentrates of	2616	
precious metals		
Scrap and waste of	7112	
precious metals		
Unwrought precious	7106 91	except for
refined precious		
metals	7108 12 000 0	metals in
the form of bars,		
	7110 11 000 0	plates,
powder and		
	7110 21 000 0	granules".
	7110 31 000 0	
	7110 41 000 0	

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2. In the Regulations on the Importation into and Exportation from the Russian Federation of Natural Diamonds and Brilliants approved by Decree of the President of the Russian Federation No. 1373 of November 30, 2002 on the Approval of the Regulations on the Importation into and Exportation from the Russian Federation of Natural Diamonds and Brilliants (Sobraniye Zakonodatelstva Rossiyskoy Federatsii, 2002, No. 49, item 4874):

1) in paragraph one of Item 4 the words "legislation of the Russian Federation on the customs business" shall be replaced with the words "Customs Legislation of the Russian Federation";

2) in paragraph two of Item 6 the words "State Customs Committee of the Russian Federation" shall be replaced with the words "Federal Customs Service";

3) in Item 10:

paragraph one shall be set forth in the following wording:

"10. The export of natural diamonds (except for unique natural diamonds and natural diamonds indicated in Item 19 of these Regulations) shall be effected by the entities of the mining of natural diamonds without any quantitative restrictions under licences.";

paragraph two shall be invalidated;

in paragraph three the word "state" shall be replaced with the words "federal state";

4) paragraph one of Item 11 shall be set forth in the following wording:

"11. The export of natural diamonds weighing 10.8 carats or more (except for natural diamonds by the criteria rated as unique or unfit for the manufacture of jewelry) shall be effected by entities of the mining of natural diamonds if such diamonds have been acquired by foreign persons from the entities of the mining of natural diamonds at auctions conducted in accordance with the legislation of the Russian Federation at a price not lower than the limital evaluation.";

5) Item 13 shall be set forth in the following wording:

"13. Entities of the mining of natural diamonds may effect the export of natural diamonds if they fulfil the contractual obligations of delivering natural diamonds to the State Fund of Precious Metals and Precious Stones of the Russian Federation.

Control over the fulfilment by entities of the mining of natural diamonds of the said contractual obligations shall be exercised by the Ministry of Finance of the Russian Federation.";

6) in paragraph one of Item 16, the word "State" shall be replaced with the words "Federal State";

7) in paragraph four of Item 18, paragraph three of Item 20 and paragraph one of Item 21, the word "state" shall be replaced with the words "federal state";

8) in Item 22:

in paragraph one the word "state" shall be replaced with the words "federal state";

paragraph two shall be set forth in the following wording:

"The export of natural diamonds (except for natural diamonds weighing 10.8 carats or more, unique natural diamonds and natural diamonds indicated in Item 19 of these Regulations) released from the state funds of precious metals and precious stones of the entities of the Russian Federation shall be effected without any quantitative restrictions under licences.";

9) Item 24 shall be set forth in the following wording:

"24. The Ministry of Finance of the Russian Federation shall exercise control over the observance by its jurisdictional federal state unitary enterprise Foreign-Economic Association "Almazyuvelirexport" of the principles of non-discrimination and fair commercial practice, preventing any cases of unjustified refusal or evasion by that enterprise to conclude

contracts, and shall also establish the maximum rates of commission remuneration collected by that enterprise.";

10) in paragraphs three and four of Item 25 the words "under the customs control" shall be replaced with the words "for internal consumption";

11) Item 27 shall be set forth in the following wording:

"27. In the importation to and exportation from the Russian Federation of natural diamonds for processing, the declarant of the custom regime shall, in agreement with the customs body of the Russian Federation, determine the norms of the yield of the processing products for the customs purposes proceeding from the actual conditions under which is carried out the processing of natural diamonds. The procedure for determining the norm of the yield of processing products for the customs purposes shall be established by the Ministry of Finance of the Russian Federation.";

12) in Item 28:

in paragraph two the words "free circulation" shall be replaced with the words "internal consumption", the words "transit" shall be replaced with the words "international customs transit";

in paragraph three the words "free circulation, transit, a shop" shall be replaced with the words "internal consumption, international customs transit,";

in paragraph four the words "customs regime of temporary importation (exportation)." shall be replaced with the words "customs regimes of temporary importation and temporary exportation,";

a paragraph shall be added reading as follows:

"transfer of natural diamonds and brilliants having for the customs purposes the status of Russian goods between the customs bodies of the Russian Federation through the territory of a foreign state in accordance with the special customs regime of transfer of Russian goods between the customs bodies through the territory of a foreign state.";

13) Items 29 and 30 shall be set forth in the following wording:

"29. Exportation by Russian and foreign persons from the Russian Federation of natural diamonds and brilliants in accordance with the customs regimes of temporary exportation, international customs transit, re-export, processing outside the customs territory and also the export of processing products, wastes and remainder of goods placed under the customs regime of processing on the customs territory, wastes of the destruction of goods placed under the customs regime of destruction, shall be effected in accordance with the Customs Legislation of the Russian Federation without any quantitative restrictions and licences.

30. The customs clearance of brilliants and also natural diamonds imported to and exported from the Russian Federation, except for both unworked and partially worked natural diamonds that may be used for the manufacture of brilliants (CC FEA code 7102 31 000 0), shall be carried out

only at specialised customs posts and at specialised sections of the customs bodies of the Russian Federation for the clearance of precious metals and precious stones with obligatory participation of state controllers of the Ministry of Finance of the Russian Federation, except for the cases established by paragraph four of this Item.

The customs clearance of both unworked and partially worked natural diamonds imported to and exported from the Russian Federation which may be used for the manufacture of brilliants (CC FEA code 7102 31 000 0), shall be carried out exclusively at the specialised customs post situated in Moscow, with obligatory participation of state controllers of the Ministry of Finance of the Russian Federation, except for the cases established by paragraph four of this Item.

The creation of specialised customs posts and specialised sections of the customs bodies of the Russian Federation that conduct the customs clearance of natural diamonds and brilliants, shall be carried out by the Federal Customs Service in agreement with the Ministry of Finance of the Russian Federation.

The customs bodies of the Russian Federation situated at the checkpoints on the state border of the Russian Federation may perform the customs operations connected with the formalisation of the procedure of internal customs transit and also international customs transit (in the event that there is a certificate of the country of exportation and the packing of a commodity has not been broken) and re-export (in the event that to the customs regime of re-export are declared goods that have come to the customs territory of the Russian Federation, that are at a checkpoint on the state border of the Russian Federation or in another zone of customs control situated in immediate proximity to the checkpoint and have not been placed under any customs regime or a special customs procedure.

Certain customs operations may be conducted by the said customs bodies in whose region of activity are situated duty-free shops, except for the customs operations performed in the declaring of goods.";

14) paragraph three of Item 31 shall be set forth in the following wording:

"brilliants intended for personal, family, domestic and other needs not associated with the carrying out of business activity of natural persons. In this case, the total value of exported brilliants must not exceed an amount equivalent to 10 000 US dollars. The total value of exported brilliants shall not include the value of brilliants earlier imported to and also temporarily exported from the Russian Federation by natural persons.".