

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 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**

Short name of commodity	CC FEA code	Note
Unwrought gold and silver*	7106 10 000 0	only refined gold and silver in the form of bars, plates, powder and granules and also gold used for coinage
	7106 91 100 0	
	7108 11 000 0	
	7108 12 000 0	
Unwrought platinum and metals of the platinum group	7108 20 000 0	only refined platinum and metals of the platinum group in the form of bars, plates, powder and granules
	7110 11 000 0	
	7110 21 000 0	
	7110 31 000 0	
	7110 41 000 0	
Unwrought precious metals	7110 19 100 0	only non-refinable nuggets
	7110 29 000 0	
Natural pearls	7106, 7108, 7110	
Unworked and worked natural precious stones	7101 10 000 0	
	7103 10 000 0	
	7103 91 000 0	
Other mineral substances	7103 99 000 0	only unique amber formations
	2530 90 980 0	

* 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**

Short name of commodity	CC FEA code
Precious metals in the form of products and articles	2843 10
	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 of precious stones	6804 21 000 0
	8205
	8207
Articles of precious stones and natural pearls	8522 90 300 0
	7116 20
Coins	7116 10 000 0
	7118***

*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 ash of non-ferrous metals	2603 00 000 0	
	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	

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:

"brilliant 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 brilliant must not exceed an amount equivalent to 10 000 US dollars. The total value of exported brilliant shall not include the value of brilliant earlier imported to and also temporarily exported from the Russian Federation by natural persons."