

Resolution of the Cabinet of Ministers of Ukraine

**On the Approval of the Procedure
for Customs Clearance of Imported Goods (Products)
Subject to Compulsory Certification in Ukraine**

No.1211

November 4, 1997

According to Article 18 of the Cabinet of Ministers' Decree "On Standardization and Certification" the Cabinet of Ministers of Ukraine resolves:

1. To approve the Procedure of Customs Clearance of Imported Goods (Products) Subject to Compulsory Certification in Ukraine (is attached).
2. The State Customs Service and the State Committee on Standardization, Metrology and Certification shall bring the relevant normative acts into compliance with this Resolution in a month's term.
3. This Resolution becomes valid 10 days after its publication in the "Uriadovyi Kurier" newspaper.

The Prime-Minister of Ukraine

V.Pustovoitenko

PROCEDURE

for the customs clearance of imported goods (products) subject to obligatory certification in Ukraine

1. This Procedure determines the mechanism of Customs clearance for imported goods (products), subject to obligatory certification in Ukraine that are brought into the Customs territory of Ukraine by subjects of entrepreneurial activity to be sold or traded.
2. The procedure shall not apply to imported goods (products) brought to Ukraine:
 - as gifts;
 - temporarily;
 - as a humanitarian or technical relief;
 - a part of authorised capital of incorporated juridical persons;
 - on the basis of joint investment activity contracts;
 - for exhibition purposes;It also shall not apply to:
 - goods (products) re-imported into the Customs territory of Ukraine;
 - goods intended for storage in licensed customs warehouses;
 - goods imported in the regime of import with the aim of further re-export in the order, approved by the State Customs Service.
3. The legal basis for clearance of goods (products) so that they may be unrestrictedly used in the Customs territory of Ukraine are:

conformity certificate of goods (products) or its copy, issued by Derzhstandart or a duly authorised certification body;

certificate of recognition of a foreign conformity certificate, issued by Derzhstandart or a duly authorised certification body;

description of the goods included into the Unified Register of Products Certified in Ukraine.

The specified conformity certificate (certificate of recognition) or its copy applies to:

goods (products) arriving at the address of a single recipient with a single shipping document (invoice, bill of lading, etc.);

goods (products), arriving at the destination point simultaneously in one shipment, destined for a single receiver, sent from a single shipper, loaded at a single departure point;

goods (products), supplied through a pipeline on the basis of a single act of acceptance during the term, necessary to transfer the goods (products) of a volume, specified in the act.

4. The number and the date of issue of a conformity certificate of goods (products) or a certificate of recognition of a foreign certificate are specified in the customs declaration. The Customs Authority that has conducted the Customs clearance of goods for unrestricted use shall retain photo-copies of the specified documents.

5. The basis for Customs clearance of goods (products), brought into Ukraine in disassembled form (complex objects) or a part of any other goods (products), that require installation are:

a contract on performing certification works of a good (product) between the proprietor (owner) of the good, held in the Customs control and the certification body.

a document issued by a certification body, certifying the conclusion of such contract, containing the number of a contract and the date of its signature.

6. In case samples of products held in the Customs control are required to conduct certification of the goods (products), the proprietor (owner) must address the Customs Authority in writing for such samples, based upon a contract between a proprietor (owner) of goods (products) and the certification body rendering certification services, or with a written confirmation of such contracts by the certification body, containing the number of the contract, the date of signature, the period of carrying out the work, and the necessary number of samples.

If the certification requires testing resulting in a loss of the goods, the owner (proprietor) submits a proper written notice to the Customs Authority and submits an act of sample destruction, issued by the certification authority. The value of the samples is included in the value of goods (services) in the Customs declaration.

7. If the proprietor (owner) of goods (products) does not receive a conformity certificate for goods (products) or a certificate of recognition of a foreign certificate, the goods (products) have to be placed in a licensed Customs warehouse or removed from the Customs territory of Ukraine.