

Customs Code of the Eurasian Economic Union

May 17, 2017

Dear Ladies and Gentlemen,

On April 11, 2017, the Customs Code of the Eurasian Economic Union (CC EAEU) was signed by Belarus, the last member country of the Eurasian Economic Union (EAEU) to sign the CC EAEU. The CC EAEU will enter into force not earlier than on July 01, 2017, depending on implementation of certain domestic procedures by the EAEU countries, and will replace the existing Customs Code of the Customs Union (CC CU).

The new Customs Code of the EAEU is intended to ensure the uniform rules and customs operations for all EAEU member states, which will simplify cooperation within the framework of foreign economic activity (FEA).

We would like to inform you of the most significant novelties of the CC EAEU:

1. *Priority of electronic form of communication between customs authorities and participants of FEA*

As a rule, the customs declaring procedure will be carried out in an electronic form. The paper form will be admissible only for cases directly provided for by the CC EAEU (e.g., when the goods are placed under the procedure of customs transit; in respect of goods sent by international post, etc.).

2. *Submission of a customs declaration without submission of documents to the customs authority on the basis of which the declaration is completed*

As a rule, when submitting a declaration for goods, it is no longer necessary to submit documents to the customs authority confirming the information provided in such declaration (the former CC CU, on the contrary, provided for mandatory submission of such documents).

3. *“Single-window” concept for customs operations*

Information and documents may not be submitted to customs authorities when performing customs operations, if such information and documents can be received by customs authorities independently from information systems of customs authorities, as well as state bodies (organizations) of member states.

4. *Automatic release of goods*

The goods will be released automatically, without direct participation of the customs authorities' representatives, within 4 hours as of the registration of the customs declaration.

5. *New customs procedures*

Compared with the CC CU, the new code includes customs procedures that were previously regulated by the national legislation of the member states (special customs procedure, free customs zone procedure, free warehouse procedure).

6. *Legal status of foreign declarants*

CC EAEU regulates in more details the status of foreign declarants. In particular, the list of customs procedures that foreign persons can in certain cases declare in the EAEU has been extended (e.g., customs warehouse procedure, special customs procedure).

7. *Changes in the legal status of the authorized economic operator (AEO)*

Any legal entity incorporated under the legislation of an EAEU member country may apply for the AEO status.

A legal entity included in the AEO register is issued a perpetual certificate of one of three types and is assigned a “low risk” status. Each certificate type implies a particular set of requirements the legal entity must comply with to obtain it, and determines the number of special simplifications the AEO is entitled to use. The list of such simplifications has been expanded in the CC EAEU (e.g., exemption from the obligation to provide security for customs payments in customs transit procedures (1 type); the right to remote release of goods in a customs authority other than the customs authority in the region where the goods are located, within one member state of the EAEU (type 2)).

ALRUD lawyers have extensive experience of integrated client support over all fields of law, including advice on customs consequences of contracts.

ALRUD lawyers will gladly provide necessary legal support regarding issues related to the abovementioned developments.

We hope that the information provided will be useful to you. If any of your colleagues would also like to receive our information letters, please provide us with his e-mail in response to this message. If you would like to learn more about our **Commercial law Practice**, please inform us in a reply message, we would be happy to send you our materials.

For any questions, please contact ALRUD Partner **Maria Ostashenko** - MOstashenko@alrud.com.

Kind regards

ALRUD Law Firm

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