

## **ANNEX XIX**

### **SECTION 5. PRELIMINARY OPERATIONS, CUSTOMS OPERATIONS AND PROCEDURES RELATING TO THE CONVEYANCE OF GOODS AND MEANS OF TRANSPORT**

#### **CHAPTER 10. CONVEYANCE OF GOODS AND MEANS OF TRANSPORT ACROSS THE CUSTOMS BORDER OF THE REPUBLIC OF KAZAKHSTAN**

##### **Article 53**

##### **Procedure for the Execution of Preliminary Operations When Conveying Goods and Means of Transport onto the Customs Territory of the Republic of Kazakhstan**

1. The procedure for the execution of preliminary operations when conveying goods and means of transport onto the customs territory of the Republic of Kazakhstan shall be as follows:
  - 1) crossing the customs border of the Republic of Kazakhstan;
  - 2) notification of customs authorities on the crossing of the customs border of the Republic of Kazakhstan;
  - 3) preliminary customs clearance at a checkpoint at the customs border of the Republic of Kazakhstan;
  - 4) delivery of goods, means of transport and accompanying documents to the customs point of destination;
  - 5) notification of the customs point of destination on the delivery of goods and means of transport;
  - 6) temporary storage of goods and means of transport.
2. The provisions of this Chapter shall not apply to the goods conveyed by pipelines and electric power lines.

##### **Article 54**

##### **Crossing the Customs Border of the Republic of Kazakhstan**

1. Crossing by goods and means of transport of the customs border of the Republic of Kazakhstan shall mean the actual conveyance of goods and means of transport into the customs territory of the Republic of Kazakhstan.
2. Crossing of the customs border of the Republic of Kazakhstan shall entail the responsibility of the person who conveys goods and means of transport, to deliver the goods, means of transport and accompanying documents within the shortest possible period of time to the customs authority located at the checkpoint.

##### **Article 55**

##### **Specifying Checkpoints**

1. "Checkpoint" where goods and means of transport may cross the customs border of the Republic of Kazakhstan shall mean for goods conveyed:
  - 1) by aircraft – the airport of destination or the first airport on the customs territory of the Republic of Kazakhstan where the aircraft transporting the goods lands and where the goods are unloaded;
  - 2) by sea transport – the first port of unloading or the port of reloading located on the customs territory of the Republic of Kazakhstan;
  - 3) by other means of transport – the first customs authority on the way of movement; .

4) by pipelines and electric power lines – the sites of installment of commercial control devices which are coordinated with the authorized body on customs issues.

#### **Article 56**

#### **Notification of the Customs Authorities on Crossing the Customs Border of the Republic of Kazakhstan**

1. The carrier or the person conveying goods shall be obliged to notify the customs authority located at a checkpoint about the crossing of the customs border of the Republic of Kazakhstan.
2. Notification of customs authorities about the crossing of the customs border of the Republic of Kazakhstan shall mean informing the customs authority located at the checkpoint at the customs border of the Republic of Kazakhstan, of the fact of crossing the border.
3. When crossing the customs border of the Republic of Kazakhstan, notification of the customs authority shall mean submission of goods, means of transport and accompanying documents to the customs authority located at a checkpoint at the customs border of the Republic of Kazakhstan.
4. Customs officials shall not have the right to refuse accepting the documents specified in Paragraph 3 of this Article.

#### **Article 57**

#### **Preliminary Customs Clearance at a Checkpoint at the Customs Border of the Republic of Kazakhstan**

1. Preliminary customs clearance at a checkpoint at the customs border of the Republic of Kazakhstan shall mean the actions preceding the main customs clearance procedures aimed at prevention of the conveyance of goods prohibited for importation into the customs territory of the Republic of Kazakhstan.
2. The procedure for preliminary customs clearance at a checkpoint at the customs border of the Republic of Kazakhstan allows the following:
  - 1) unloading and reloading operations with goods and means of transport in areas specially assigned and equipped for unloading and reloading operations, the location of which has been coordinated with customs authorities;
  - 2) upon request of the person performing unloading and reloading operations with goods and means of transport, the goods can be located in areas where such operations are performed, without placement in temporary storage areas, for the period of time required to perform unloading and reloading operations. The total period of time for storing these goods shall not exceed the period for the temporary storage of goods stipulated by this Code. In the event of loss of goods or transfer of goods to third persons without the permission of customs authorities, the mentioned persons shall bear the responsibility for payment of customs payments and taxes.
3. The main customs clearance of goods may be performed at a checkpoint at the customs border of the Republic of Kazakhstan, provided there are appropriate conditions for conducting customs clearance, or at any other customs authority in compliance with this Code.

#### **Article 58**

#### **Delivery of Goods, Means of Transport and Accompanying Documents to the Customs Point of Destination**

1. Delivery of goods, means of transport and accompanying documents shall be performed in compliance with the domestic customs transit procedure, stipulated in Chapter 12 of this Code.
2. The carrier shall be obliged to deliver goods, means of transport and accompanying documents to the places and within the period of time determined by the customs authority, in an unaltered state, except for changes due to natural deterioration or damage under normal conditions of transportation and storage.

#### **Article 59**

#### **Notification on Delivery of Goods and Means of Transport to the Customs Point of Destination**

When delivering goods and means of transport to the customs point of destination, the carrier or the person conveying the goods and means of transport shall make notification on delivery of goods by submission of:

- 1) delivery control documents;
- 2) transportation and commercial documents;
- 3) imported goods and means of transport.

#### **Article 60**

#### **Measures to Take in Case of Accident or Force Majeure**

1. In case of accident or force majeure, as well as in cases when a marine, internal water vessel or aircraft is forced to make an emergency stop or landing on the territory of the Republic of Kazakhstan, the carrier shall be obliged to take all measures to ensure the safety of the goods and means of transport, and to immediately advise the nearest customs authority of the circumstances and location of the goods.
2. Depending on the nature of the accident, the level of damage to the quality of the goods and the technical state of the means of transport, the customs authority which received notification on the accident shall determine the measures required to ensure customs control.
3. The customs authorities shall not reimburse expenses borne by carriers due to the fulfillment of the requirements of this Article.