

THE LAW OF UKRAINE
“On Amending the Law of Ukraine
“On Procedure for Settlements in Foreign Currency””

The Supreme Rada of Ukraine resolves:

I. To introduce the following amendments to the Law of Ukraine “On Procedure for Settlements in Foreign Currency” (Vidomosti Verkhovnoyi Rady, 1994, No. 40, p. 364; 1996, No. 28, p. 135; 1999, No. 44, p. 390; 2000, No. 22, p. 172; 2003, No. 30, p. 247; 2004, No. 19, p. 270; 2005, No. 3, p. 77):

1. In Article 1:

In part one, to substitute the words “180 calendar days” for the words “90 calendar days”;

To delete part two.

2. In Article 2:

In part one of Article 2, to substitute the words “180 calendar days” for the words “90 calendar days”;

To add a new part to the Article reading:

“The time limit and conditions for the completion of an import transaction without actual importation of goods into the territory of Ukraine shall be determined according to the procedure established by the Cabinet of Ministers of Ukraine and as agreed upon with the National Bank of Ukraine.”

3. Article 3 shall be worded as follows:

“Article 3. The National bank of Ukraine shall have the right to determine the period during which foreign currency acquired by a resident at the interbank currency market of Ukraine with the purpose of providing for the fulfillment of obligations thereof to a non-resident, must be used for the purpose, and the procedure for selling such foreign currency in the event of the resident’s failure to observe this time limit.”

4. In Article 4:

In part one:

To substitute the words “(the value of the undelivered goods)” for the words “(the customs value of the undelivered products)”;

To add to the part a sentence reading:

“The total amount of assessed penalty shall not be in excess of the amount of non-received proceeds (the undelivered goods).”;

to add to the part two, after the words “In case of accepting”, the words “for consideration”;

5. In Article 5, to substitute the words “time limits established by the National Bank of Ukraine and pursuant to Article 3 of this Law” for the words “time limits stipulated in Article 3 of this Law”.

6. In Article 6:

Parts one and two shall be worded as follows:

“Time limits set forth in Articles 1 and 2 of this Law, may be extended by the central executive authority on matters of economic policy where residents make transactions under production cooperation agreements, consignment agreements, package building contracts, tender supply agreements, warranty service agreements, and contracts for supply of complex technological products and special-purpose goods.

The procedure for ascription of residents’ transactions to those listed in part one of this Article and the required conditions for issuing opinions mandating the extension of time periods stipulated in Articles 1 and 2 of this Law, shall be established by the Cabinet of Ministers of Ukraine.”

To add to the Article after part two, a new part reading:

“The central executive authority on matters of economic policy shall within a period of five workdays after the date of issuance of the opinion stipulated in part two of this Article, inform the National Bank of Ukraine and the State Tax Administration of Ukraine of the issuance of such opinion.”

In this connection, parts two through five shall be deemed parts four through six, respectively;

To add to part six after the words “the Chamber of Commerce”, the words “of Ukraine”.

7. In the text of the Law:

to substitute the words “the opinion of the central executive authority on matters of economic policy” for the words “the individual license of the National Bank of Ukraine”;

to substitute the words “time limit”, in the appropriate grammatical case, for the word “term”.

II. This Law shall come into effect 90 days after publication.

31.05.2007
The President of Ukraine
No 1108-V

V. YUSHCHENKO