

**THE MINISTRY OF FOREIGN ECONOMIC RELATIONS
AND TRADE OF UKRAINE
ORDER 17.01.95 No. 25
KYIV**

**Registered in the Ministry of Justice of Ukraine
on January, 31, No. 40/1065**

**ON MEASURES OF the MFER and T ON THE IMPLEMENTATION
OF THE DECREE OF THE PRESIDENT OF UKRAINE
DATED DECEMBER., 9, 1995 No. 1140/95**

In accordance with the Decree of the President of Ukraine dated December, 9, 1995, No. 1140/95 “On Export Regime of Ferrosilicon Manganese, Originating from Ukraine, to the Countries of the European Community”

Order:

1. To adopt:
 - Regulation on the Procedure for Registration and Issue of Licenses for the Export of Ferrosilicon Manganese originating in Ukraine to the countries of the European Community (in addendum);
 - Instruction on the Procedure Issuing Licenses for the Export of ferrosilicon manganese to the countries of the European Community (in addendum).
2. The Department of Contract Registration and Non-Tariff Regulation in coordination with the Main Department of Treaties & Legislation, the Department of Market Configuration and Price Information, and the Currency and Credits Department, shall ensure, within the limits of their jurisdiction, the registration and issue of licenses.
3. The Department of Multilateral Economic Relations in coordination with the Department of Trade Restrictions Issues and Unfair Competition shall ensure the timely submission of information regarding licenses to the European Committee.
4. The Department of Information and Informatics shall create the programs for the registration of licenses.
5. The Main Department of Treaties & Legislation shall ensure the registration of the present Order in the Ministry of Justice within the established period of time.
6. The Department of Information shall publish the present Order in the newspaper “Uriadovy Kurier” within two days after its registration in the Ministry of Justice of Ukraine.
7. The Main Department of Foreign Trade shall provide information about the present Order to the State Customs Committee of Ukraine and the regional Departments of Foreign Economic Relations within two days after its registration in the Ministry of Justice of Ukraine.
8. The Deputy Minister of Foreign Economic Relations and Trade of Ukraine shall review the

implementation of the present Order.

Minister S.Osyka

Adopted
by Order of the MFER and Trade of Ukraine
No. 25 dated 17.01.96

REGULATION
ON PROCEDURES OF REGISTRATION AND ISSUING
OF LICENSES FOR THE EXPORT
OF FERROSILICON MANGANESE ORIGINATING IN UKRAINE
TO THE COUNTRIES OF THE EUROPEAN COMMUNITY

The present Regulation has been developed with the purpose of implementing the Decree of the President "On the Export Regime of Ferrosilicon Manganese Originating in Ukraine to the Countries of the European Community" dated December, 9, 1995 No. 1140/95 and in accordance with the provisions of the Commitments of the Government of Ukraine and Ukrainian producers of ferrosilicon manganese in connection preventing anti-dumping investigations of the import of the above goods in the countries of the European Community.

1. The licenses to export ferrosilicon manganese originating from Ukraine to the countries of the European Community shall be issued for the volume of goods, actually produced before the day of submission of the license application, confirmed by the certificate of origin, issued by the Chamber of Commerce and Trade of Ukraine and by authorised regional Chambers.
2. The term of validity of the above license on the territory of Ukraine shall be 30 (thirty) days from the moment of signing of the proper form of license.
3. Applications for export licenses for the above product may be submitted until November, 16, 1996.
4. The following documents shall be attached to the application for a license, correctly filled out in two copies:
 - the letter of application from the economic agent to issue a license, guaranteeing payment of the State fee for the registration of the license;
 - copy of the certificate of State registration of the economic agent, certified according to the established procedures by the management of the economic agent;
 - the original foreign trade agreement (the contract), all annexes and specifications and their copies, certified according to the established procedures by the management of the economic agent;
 - a calculation of the export price. In any application produced by the exporter, the export CIF price at the EC border shall be equal or exceed the minimal level, established by the Ukrainian producer and the European Committee for the exporter. If the goods are being exported in FOB terms at Ukrainian ports, not more than 19.5 ECU shall be deducted from the minimum price for freight, insurance etc. In cases where the exporter uses other terms of delivery, the price calculations, with documents which support these calculations, shall be attached to the license application;
 - a certificate of origin of the product with two copies attached, issued by the Chamber of Commerce and Trade of Ukraine or by the authorised regional Chambers, with the product code according the Trade Nomenclature for Foreign Economic Activity of Ukraine (TN ZED Code), and the exact volume of the product that is being exported.

The license shall be granted only after submission of a document which confirms the payment of the

State fee of 0.1 % of the contract value.

The Ministry of Foreign Economic Relations and Trade of Ukraine shall have the right to request submission of additional documents, which it may consider necessary to guarantee that the information on the origin of the goods and the export price completely correspond to the provisions of the current legislation of Ukraine.

5. All subsequent applications of the exporter for export of the above good shall only be considered in the cases, where the Ukrainian economic agent submits to the MFER and T the appropriate documents for the licenses, which have been issued or upon the expiry of these licenses.

6. The economic agents of Ukraine shall be responsible for the correctness of information submitted in the application for licenses, in accordance with the current legislation.

7. The term for the examination of the application shall be 15 (fifteen) days from the day of its registration in the Ministry of Foreign Economic Relations and Trade of Ukraine.

The license may not be transferred to other legal entities.

When issuing the license and its copy, the original of foreign trade agreement (contract) shall be returned to the applicant.

8. The licenses shall be filled out in accordance with the requirements of the Instruction on Filling out Licenses for the Export of Ferrosilicon Manganese to the countries of the European Community by authorised officials of the Ministry of Foreign Economic Relations and Trade of Ukraine.

9. The decision to refuse to issue a license shall be taken within 15 (fifteen) days from the day of application registration in cases where:

- documents, indicated in Paragraph 4 of the present Regulation, were not submitted;
- documents submitted do not meet the requirements of the current legislation of Ukraine.

The decision to refuse to issue a license shall be provided in written form and signed by the official, indicated in Paragraph 8 of the present Regulation.

The decision to refuse to issue a license may be appealed through the courts.

10. Where an economic agent of Ukraine has not adhered to the conditions of export of the above product to countries of the European Community specified in the license, the Ministry of Foreign Economic Relations and Trade of Ukraine shall suspend its validity for the appropriate term or cancel the license.