

# **Cabinet of Ministers of Ukraine**

## **Resolution**

**No.1867**

**of 12 December 2002**

**Kyiv**

### **Certain Issues of Application of the Customs Warehouse Regime**

As amended by Cabinet of Ministers' Resolution No.92 of 18 January 2003

In accordance with Article 213 and paragraph 2 of Article 215 of Ukraine's Customs Code, the Cabinet of Ministers of Ukraine

#### **resolves:**

1. To approve the following which are enclosed:  
the list of goods which may not be placed under the Customs warehouse regime;  
the list of and procedure for carrying out operations with goods under the Customs warehouse regime.
2. That the State Customs Service bring its regulatory documents in line with this Resolution.
3. That the Resolution come into force on 1 January 2004 (Clause 3 as amended by Cabinet of Ministers' Resolution No.92 of 18 January 2003).

Prime-Minister of Ukraine

V.Yanukovych

Ind. 27

APPROVED

by the Cabinet of Ministers  
of Ukraine's Resolution No.1867  
of 12 December 2002

#### **THE LIST of goods which may not be placed under the Customs warehouse regime**

Goods prohibited from being imported in Ukraine, exporting from Ukraine or transited through the territory of Ukraine

Goods with overdue expiry dates  
Goods subject to excise duties, in transit  
Goods arriving in Ukraine, as humanitarian aid  
Live animals  
Electricity and gas

Goods being sent to private persons  
Spirit and alcoholic beverages according to codes 2203 00, 2204 – 2208 of the Ukrainian Commodity Coding of Foreign Economic Activities

Tobacco products according to codes 2402 10 00 00, 2402 20 10 00, 2402 20 90, 2403 10 10 00, 2403 10 90 00, 2403 99 10 00 of the Ukrainian Commodity Coding of Foreign Economic Activities

Give-and-take raw materials bought in the Customs territory of Ukraine

APPROVED  
by the Cabinet of Ministers  
of Ukraine's Resolution No.1867  
of 12 December 2002

**THE LIST AND PROCEDURE  
of carrying out operations with goods  
under the Customs warehouse regime.**

1. The following operations may be carried out, with goods under the Customs warehouse regime:

1) in order to keep these goods undamaged:  
moving the goods within the warehouse to put them in the optimal place;  
cleaning ;  
airing;  
creation of optimal temperature conditions;  
drying (including by means of warm air blowing);  
painting;

anti-corrosion protection;  
pest control;  
inventory taking;

2) at the Customs body's individual permission:  
making shipments smaller;  
formation of shipments;  
sorting;  
packing;  
re-packing;  
marking;

loading;  
unloading;  
re-loading;

testing.

1. Operations stated in this Clause, may be included into the Procedure of organizing the Customs regime «Customs warehouse», which shall be developed by the Customs warehouse owner and approved by the Customs body.

For operations, stated in 2) of this Clause, to be carried out, an individual permission shall be issued by the Head of the Customs body or the official authorized by him, at the request of the product owner or his authorized person, including the Customs warehouse owner under the appropriate power of attorney.

The request in duplicate shall be duly registered, and considered within three working days after its registration.

2. Goods' packing damaged during the carriage to the Customs warehouse, shall be restored under the Customs body's supervision, and the appropriate certificate (report) shall be prepared.

3. For operations with goods under the Customs warehouse regime to be carried out, an individual permission shall be done in the form of instructions: «Permitted» which are to be put by the Head of the Customs body or the official authorized by him, on both originals of the request. The instructions shall be attached to with the Customs body's stamp or the appropriate official's individual numbered stamp.

In case of the decision to refuse the permission for the operations to be carried out, the Head of the Customs body or official authorized by him shall put instructions: «Prohibited» on both originals of the request, and shall state reasons for the refusal based on the legislation. The instructions shall be attached to with the Customs body's stamp or the appropriate official's individual numbered stamp.

The first original of the request, along with the instructions by the Head of the Customs body or the official authorized by him, shall be kept by the Customs body, and the second one shall be given or mailed (by registered letter) to the requestor (requestor's authorized representative).

4. The Head of the Customs body or the official authorized by him shall decide whether the Customs body's authorized officials must be present during operations with goods under the Customs warehouse regime.

5. All the operations with goods under the Customs warehouse regime may not change the characteristics (features) according to which the goods have been assigned the codes of the Ukrainian Commodity Coding of Foreign Economic Activities.

A shipment of goods formed in the Customs warehouse shall be declared in accordance with the Main Rules for interpretation of the Ukrainian Commodity Coding of Foreign Economic Activities.