



# **THE CABINET OF MINISTERS OF UKRAINE**

## **RESOLUTION**

**of 18 January 2003, No. 63**

**Kiev**

### **On Approval of the Procedure for Customs Clearance of Military Equipment and Military Vehicles Crossing the Customs Border of Ukraine**

In Accordance with Article 74 of the Customs Code of Ukraine, the Cabinet of Ministers of Ukraine hereby **RESOLVES**:

1. To Approve the Procedure for Customs Clearance of Military Equipment and Military Vehicles Crossing the Customs Border of Ukraine (annexed).
2. This Resolution shall come into force on January 1, 2004.

**The Prime Minister of  
Ukraine**

**V. YANUKOVYCH**

Index 29

APPROVED  
By Resolution of the Cabinet  
of Ministers of Ukraine  
of 18 January 2003, No. 63

# **THE PROCEDURE**

## **for Customs Clearance of Military Equipment and Military Vehicles Crossing the Customs Border of Ukraine**

1. This Procedure defines the specific features of customs clearance of military equipment, combat and transport military aircraft, naval vessels, and support vessels of both the Naval Forces of Ukraine and of foreign naval forces complete with combat crews that cross the customs border of Ukraine without the right of alienation (hereinafter “military equipment”).

2. Within the framework of this Procedure, the following terms will have the following meaning:

**Military crew:** a group of Ukrainian or foreign military servicemen consisting of two or more persons, making their way towards a destination with military equipment (including weapons and ammunition) or without such property items;

**Central executive body:** the Ministry of Defense or another central executive body the sphere of competence of which covers military equipment, or which acts a party performing the acceptance of military equipment;

**Party performing the acceptance of military equipment:** central executive body assuring the performance of organizational measures pertaining to the arrival of military equipment of foreign countries.

3. Customs clearance of foreign countries’ military equipment shall be conducted in accordance with this Procedure, in compliance with the requirements of the Law of Ukraine *On the Procedure for the Admittance of Foreign Military Units into Ukrainian Territory, and on Terms and Conditions for the Sojourn Thereof There*.

4. Customs clearance of military equipment shall be accorded first priority.

5. For the performance of operations pertaining to customs clearance of military equipment, the relevant central executive body shall assign a person acting on grounds of a certificate of authority issued by this body (hereinafter “authorized person”).

The certificate of authority shall be drawn up in accordance with the model certificate appended hereto.

Lists of officials having the right of signature upon such certificates of authority, shall be established by the appropriate central executive bodies in co-ordination with the State Customs Service.

6. In the event where a central executive body other than the Ministry of Defense acts as the party performing the acceptance of military equipment, customs clearance of foreign military equipment shall be conducted by a customs body with the participation of an authorized person of such party as actually performs the acceptance of military equipment, and of an authorized person of the Ministry of Defense. The authorized person of the Ministry of Defense shall certify the veracity of data entered in the goods customs declaration by the authorized person of the party performing the acceptance of military equipment, by submitting a written affirmation to the customs body conducting customs clearing.

7. In the event of transfer across the customs border of Ukraine of Ukrainian or foreign military equipment, the authorized person concerned shall no later than three days prior to the performance of customs clearance of the military equipment concerned, submit to the appropriate customs body a written statement containing information on the venue, time, and purpose of such transfer of military equipment across the customs border, complete with the undertaking to effectuate customs clearance thereof in accordance with law.

8. Customs clearance of military equipment shall be undertaken conditional on production of an appropriate permit or opinion issued by Derzheksportkontrol (the State Commission for Supervision of Exports) in accordance with the procedure established by law, as well as of other documents required for customs clearance.

9. For the performance of customs clearance of military equipment, the authorized person concerned shall submit to the customs body the duly executed goods customs declaration completed in compliance with the requirements established by the State Customs Service.

10. Personal belongings of the military crew members (articles of prime necessity needed principally for the support of life functions of the military crew members owned by them, intended exclusively for their personal use, and not allowed to be alienated or assigned to other members of the military crew concerned) shall be subject to customs clearance on general grounds.

11. Military equipment transferred across the customs border of Ukraine for the purpose of undertaking measures of a tactical operational character shall be subject to customs clearance according to a simplified procedure.

The list of such measures shall be established by the State Customs Service in concurrence with the appropriate central executive body

12. Foreign military equipment transferred across the customs border of Ukraine for the purpose of granting assistance to Ukraine, or in response to a Ukrainian request, in eliminating the consequences of emergency situations, shall be subject to customs clearance according to a simplified procedure, the terms and conditions for the application of such simplified procedure to be established by the Cabinet of Minister of Ukraine.

13. The sequence of operations comprising customs clearance of military equipment transferred across the customs border of Ukraine, shall be established by the State Customs Service in cooperation with Derzheksportkontrol.

14. The assessment of taxes and duties during the customs clearance of military equipment shall be effectuated in accordance with the procedure established by law.

Appendix  
To the Procedure

Model

\_\_\_\_\_ (appellation of the central executive body that issues the certificate of authority)

**CERTIFICATE OF AUTHORITY No.  
For Participation in Customs Clearance of Military Equipment  
and Military Vehicles Crossing the Customs Border of Ukraine**

Issued by \_\_\_\_\_ (position)

\_\_\_\_\_ (Surname, first name and patronymic)

\_\_\_\_\_ (serial and item number of the internal passport of Ukrainian citizen (certificate of employment), issuer and date of issue)

Custom House Performing Customs Clearance \_\_\_\_\_

Bearer of this Certificate of Authority is a person authorized to perform actions pertaining to customs clearance of military equipment, conditional on permit (opinion) of Derzheksportkontrol of \_\_\_\_\_ No. \_\_\_\_

\_\_\_\_\_ (position of person issuing the certificate)      \_\_\_\_\_ (signature)      \_\_\_\_\_ (initials and surname)

\_\_\_\_\_ 20\_\_ .

Stamp

\_\_\_\_\_