



## ORDER OF THE CHAIRMAN OF CUSTOMS GENERAL ADMINISTRATION

22 October, 2008

No. 680

Ulaanbaatar

### APPROVAL OF PROCEDURES

Pursuant to Article 79.7 of the Customs Law of Mongolia and the decision of the meeting of the Professional Council of the State Customs General Administration dated October 9, 2008, ORDER:

1. Approve "Procedure for implementation of customs clearance procedure for refusal to accept goods" in accordance with Annex 1;

"Procedure for Implementation of Customs Clearance Procedures for Destruction of Goods" in accordance with Annex 2;

"Procedure for Implementation of Customs Clearance Procedures for Crossing the Customs Border for International Transportation Services" in accordance with Annex 3.

2. The Control and Risk Management Department shall organize the implementation of this order and provide guidance to the relevant customs offices and committees / D. Let Oyunchimeg / be responsible

3. To instruct the Information Technology Center /B.Tsog/ to submit the newly approved customs clearance procedure code to the GAMAS classification database by December 1, 2008.

4. This order shall come into force on January 2, 2009

CHAIRMAN

D.TSEVEGJAV

## **PROCEDURE OF CUSTOMS CLEARANCE REGIME FOR REJECTION OF RECEIVING GOODS**

### **One. General provision**

1.1. The customs legislation of Mongolia, international agreements of Mongolia and this regulation shall be followed in implementing the customs clearance procedure for refusal to accept goods (Articles 202-207 of the Customs Law, hereinafter referred to as "procedure").

1.2. This procedure shall regulate the relations related to placing the goods refused to be accepted by the consignee in the procedure, transferring them to the state ownership and terminating the procedure.

1.3. The declarant shall be responsible for expenses related to transportation, brokerage and storage of goods to be placed under the procedure as specified in Article 202.2 of the Customs Law.

### **Two. Regime code**

2.1. Quantitative and other restrictions imposed by the competent authority shall not apply to goods to be placed under the procedure.

2.2. The procedure is followed by customs clearance with the following code:

	The value of the mode	Mode code
1	Rejection procedure	980

### **Three. Documents**

3.1 The following documents are required for customs clearance under this procedure.

3.1.1. written request of the consignee to refuse to accept the goods;

3.1.2. conclusion of the relevant organization that the goods to be placed in the procedure meet the hygiene and quality requirements;

3.1.3. trade documents such as price invoices, packing lists, technical documents /;

3.1.4. transport documents;

3.1.5. other required documents.

3.2. If the information and documents specified in 3.1 of this Regulation do not meet the requirements of the procedure, the Customs may request additional information and documents.

3.3. The state customs inspector shall affix the "Mongolian Customs Approved" check mark on the customs declaration of goods to be placed under this procedure.

### **Four. Procedure requirements**

4.1. Goods prohibited from entering Mongolia shall not be placed under the regime.

4.2. Goods to be placed under the procedure shall meet the requirements set forth in Article 203.1 of the Customs Law.

4.2. Goods to be placed under the procedure shall not be subject to customs and other taxes in accordance with Article 204 of the Customs Law.

4.3. The declarant shall be obliged to provide additional information and documents within the period specified by law, and if this obligation is not fulfilled, the customs office shall refuse to place the goods in the manner chosen by the declarant.

### **Five. Others**

5.1. This procedure shall end with the transfer of goods placed under the refusal procedure to state ownership.

5.2. The goods placed in the procedure shall be transferred to the state ownership by writing "Transfer sheet to the state revenue".

5.3. Article 298.2 of the Customs Law shall not apply to goods transferred to state ownership in accordance with Article 5.2 of this Regulation.

## **PROCEDURE OF CUSTOMS CLEARANCE REGIME FOR DESTRUCTION OF GOODS**

### **One. General provision**

1.1. The customs legislation of Mongolia, international treaties of Mongolia and this regulation shall be followed in implementing the customs clearance procedure for destruction of goods (Articles 208-214 of the Customs Law, hereinafter referred to as "procedure").

1.2. Goods that have deteriorated during the period of customs control, have not met the quality requirements, have been found to be harmful to health, health and the environment by the relevant professional organization, and have not been returned for more than 3 days are prohibited from entering the country. This procedure shall regulate relations related to the destruction of goods that cannot be reimbursed under customs control.

1.3. The declarant shall submit a written request to the customs to place the goods in the destruction procedure, and if the conditions and requirements of the procedure are met, the goods shall be placed in the procedure with the permission of the customs.

1.4. Goods placed under this procedure shall be destroyed under customs control, making them unusable for their intended purpose in an environmentally friendly manner.

1.5. The owner of the goods shall be responsible for any expenses incurred in connection with the implementation of the destruction procedure.

1.6. Destruction of goods shall be carried out in accordance with the principle that no harm shall be caused to human life, health or the environment, and that no organization shall act in the best interests of the individual.

### **Two. Product to be placed in this regime, regime code**

2.1. The following items will be placed in the regime:

2.1.1. Foreign goods that have deteriorated during the Customs control, have failed to meet quality requirements, and have been found to be harmful to hygiene, health or the environment by the relevant professional organization;

2.1.2. Foreign goods prohibited from entering the country within 3 days from the customs control zone or temporary warehouse and not returned abroad.

2.2. The procedure is followed by customs clearance with the following code:

	The value of the mode	Clearance regime code
1	Dispose of goods	990

2.3. Goods specified in Article 209.1 of the Customs Law shall not be placed in the procedure

### **Three. Documents**

3.1. Documents specified in Article 213.1 of the Customs Law shall be required for customs clearance in accordance with this procedure.

3.2. Destruction of various types of chemicals and radioactive substances that may have a harmful effect on the environment, human life and health shall be subject to special permission from the relevant professional organizations and officials.

3.3. The state customs inspector shall affix the "Mongolian Customs Approved" check mark on the customs declaration of goods to be placed under this procedure.

#### **Four. Procedure requirements**

4.1. In addition to the provisions of Article 212.1 of the Customs Law, goods may not be destroyed if the customs authorities are unable to control the destruction of the goods.

4.2. The Destruction Commission shall act in accordance with the requirements of the Law of Mongolia on Environmental Protection and related legal acts based on the conclusion of the relevant professional organization and the permission of the competent authority that authorized the destruction of goods.

4.3. Dispose of goods as follows:

4.3.1. complete destruction by heating, incineration, chemical or mechanical means;

4.3.2. dismantling, sorting and mechanical damage making it impossible to use and rebuild for its original purpose.

4.4. As a result of the destruction of the goods, the goods have completely lost their original consumer characteristics and cost of sale.

4.5. According to Article 210 of the Customs Law, no customs or other taxes shall be imposed on goods placed under this procedure.

4.6. If the original destination of the destroyed goods has been changed and it can be used for other purposes, it shall be transferred to subsequent users with the permission of the central customs authority and transferred to a different customs clearance procedure based on the conclusion of the customs laboratory and analysis by specialized inspection agencies.

4.7. Wastes and residues generated during the destruction of goods that can be used for other purposes shall be kept under customs control in the same way as imported and exported goods, and a customs declaration shall be made.

#### **Five. Others**

5.1. The destruction commission appointed by the customs shall carry out the destruction activities.

5.2. The destruction commission shall carry out the destruction in the presence of the owner of the goods in accordance with the relevant instructions and requirements, draw up and sign 3 copies of the act on destruction of goods in accordance with the form approved in the appendix to this regulation. The third copy shall be given to the owners or intermediaries.

Attachment to Annex 2 of Order  
No.680 of the CGA Chairman of  
2008

\_\_\_\_\_  
(name of customs office or branch)

ACT OF DESTRUCTION OF GOODS

\_\_\_\_\_ types of goods \_\_\_\_\_

\_\_\_\_\_  
(барааны нэр, тоо хэмжээ)

declared with declaration No. \_\_\_\_\_ by \_\_\_\_\_ legal entity,  
organization, individual on \_\_\_\_\_ (year/month/date) have been destroyed using  
method of \_\_\_\_\_ in \_\_\_\_\_ based on  
assessment result of \_\_\_\_\_ as these goods

\_\_\_\_\_  
(name of inspection agency)

are \_\_\_\_\_ to human life, health and environment.

It is confirmed that \_\_\_\_\_  
(name and amount of remaining and waste)

were remained after destruction.

Remainings and wastes are stored in \_\_\_\_\_.

Destruction team: \_\_\_\_\_ ( )  
\_\_\_\_\_ ( )  
\_\_\_\_\_ ( )  
\_\_\_\_\_ ( )  
\_\_\_\_\_ ( )

(name, title and signature of personnel attended to the destruction process)

Owner or broker  
of the goods

\_\_\_\_\_  
(нэр, албан тушаал, гарын үсэг)

Workers destroyed

\_\_\_\_\_  
(name, registration No., signature)

\_\_\_\_\_  
(name, registration No., signature)

## **CUSTOMS CLEARANCE REGIME FOR ENTERING GOODS OF INTERNATIONAL TRANSPORTATION SERVICE**

### **One. General provision**

1.1. The customs legislation of Mongolia, international treaties of Mongolia and this regulation shall be followed in the implementation of the customs clearance procedure for the introduction of goods for international transport services (Articles 215-219 of the Customs Law).

1.2. This regulation regulates the relations related to the customs clearance procedure for the introduction of goods for international transport services.

1.3. The procedure shall be chosen by the declarant and, if the conditions of the procedure are met, the goods shall be placed in the procedure with the permission of the customs.

### **Two. Goods to be placed in the regime and codes**

2.1 Goods specified in Article 216.1 of the Customs Law shall be placed in the procedure.

2.2. It is prohibited to place fuel and lubricants supplied to domestic vehicles engaged in international transportation services in this mode.

2.3. Goods for international transport services are not subject to restrictions other than those prohibited.

2.4. The procedure is followed by customs clearance with the following code:

	The value of the mode	Clearance mode code	Previous application procedure code
1	Release of goods from a bonded warehouse for international transportation services	910	700-708
2	Release Mongolian goods for international transportation services	911	not required

2.5. Customs clearance code 911 includes food items required for international transport services in free circulation in the customs territory.

### **Three. Documents**

3.1. The following documents are required for customs clearance under this procedure.

3.1.1. trade documents / passenger inventory supply invoice /;

3.1.2. foreign trade agreement;

3.1.3. certificate of conformity of goods;

3.1.4. conclusion of the relevant organization on compliance with hygiene requirements.

3.2. The declarant may submit the documents specified in 3.1 to the customs office by e-mail, fax and customs information network.

3.3. If the information and documents specified in 3.1 of the Regulation do not meet the requirements of the procedure, the Customs may request additional information and documents.

3.4. The state customs inspector shall affix the check mark "under customs control" to the customs declaration of goods to be placed in accordance with this procedure.

#### **Four. Procedure requirements**

4.1. The time of international travel and the amount of goods and materials to be used for travel services shall be provided in advance to the customs organization by the organization organizing the trip.

4.2. Goods and materials used for international travel services shall be packaged (in containers) that can be marked for customs purposes.

4.3. No customs or other taxes shall be imposed on the placement of goods under the international transport service regime.

4.4. Import customs duties and other taxes are not refundable when goods imported for domestic use are placed under this regime.

4.5. The declarant shall be obliged to provide additional information and documents within the period specified by law, and if this obligation is not fulfilled, the customs office shall refuse to place the goods in the manner chosen by the declarant.

#### **Five. Others**

5.1. The procedure for the introduction of international transport and service goods shall end with the use of the goods for their intended purpose.