



Presentation about the process of accession by the Republic Uzbekistan to WCO Kyoto Convention

Tashkent -2013



About the process of accession by the Republic Uzbekistan to the WCO Revised Kyoto Convention

Par 1 of the Article 12 of Kyoto Convention provides that the norm of the General Annex to the Convention are obligatory for all contracting parties.

In the given Annex, the following is provided: introduction of electronic declaring of the goods; information technologies; and risks management systems.

Countries can join some other special Annexes of the international convention in view of a degree of readiness of national regulations. In that regard the Republic Uzbekistan have carried out the relevant work.



Electronic declaring of goods

Par 3.11. of the Section «Commodity declaration » of the Chapter 3 « Registration and other customs formalities» of the Kyoto Conventions provides that the content of commodity declaration is to be provided by customs. The paper format of commodity declaration corresponds to main principle of formatting of the United Nations.

For the automated processes of customs clearance the format of the commodity declaration submitted in electronic form, is based on the international standards of electronic information exchange according to the recommendations of the Customs Cooperation Board in relation to information technology.

According to laws of Republic Uzbekistan "On electronic document circulation", 29.04.2004, and "On digital signature", 11.12.2003, the State Customs Committee developed the Regulation «On electronic customs clearance procedure» approved by the Decision of the Cabinet of Republic Uzbekistan # 370, 29.12.2012.



Electronic declaring of goods

This very Regulation includes the Automated information system for electronic declaring of goods (further - AISEDG) which is a part of information system on gathering and storage of operational data on customs clearance.

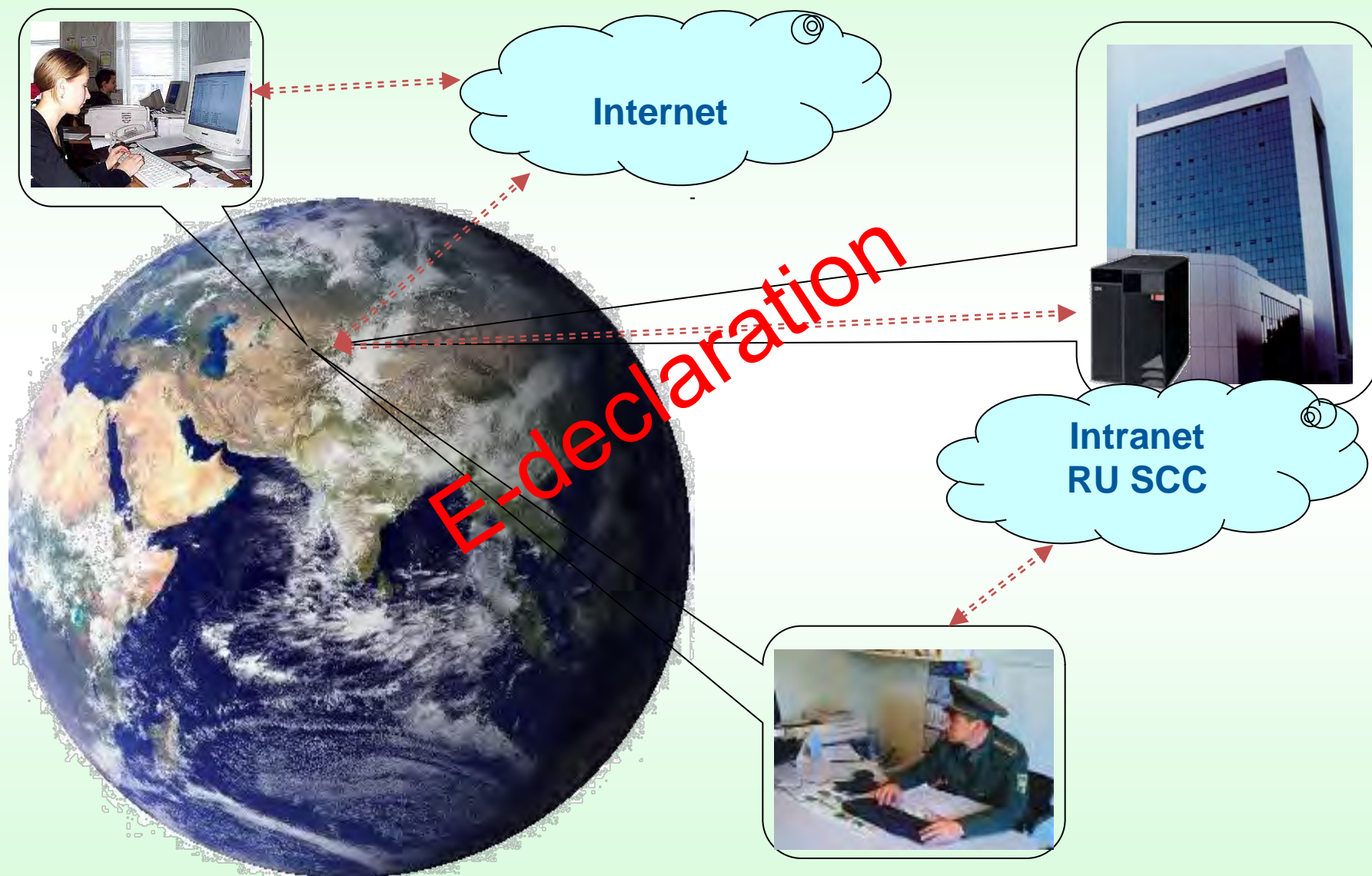
AISEDG within the limits of the Uniform customs automated information system cooperates with the following information systems:

Introduction of new information technologies





Chart of acceptance of e-customs cargo declarations via Internet





Introduction of information technologies

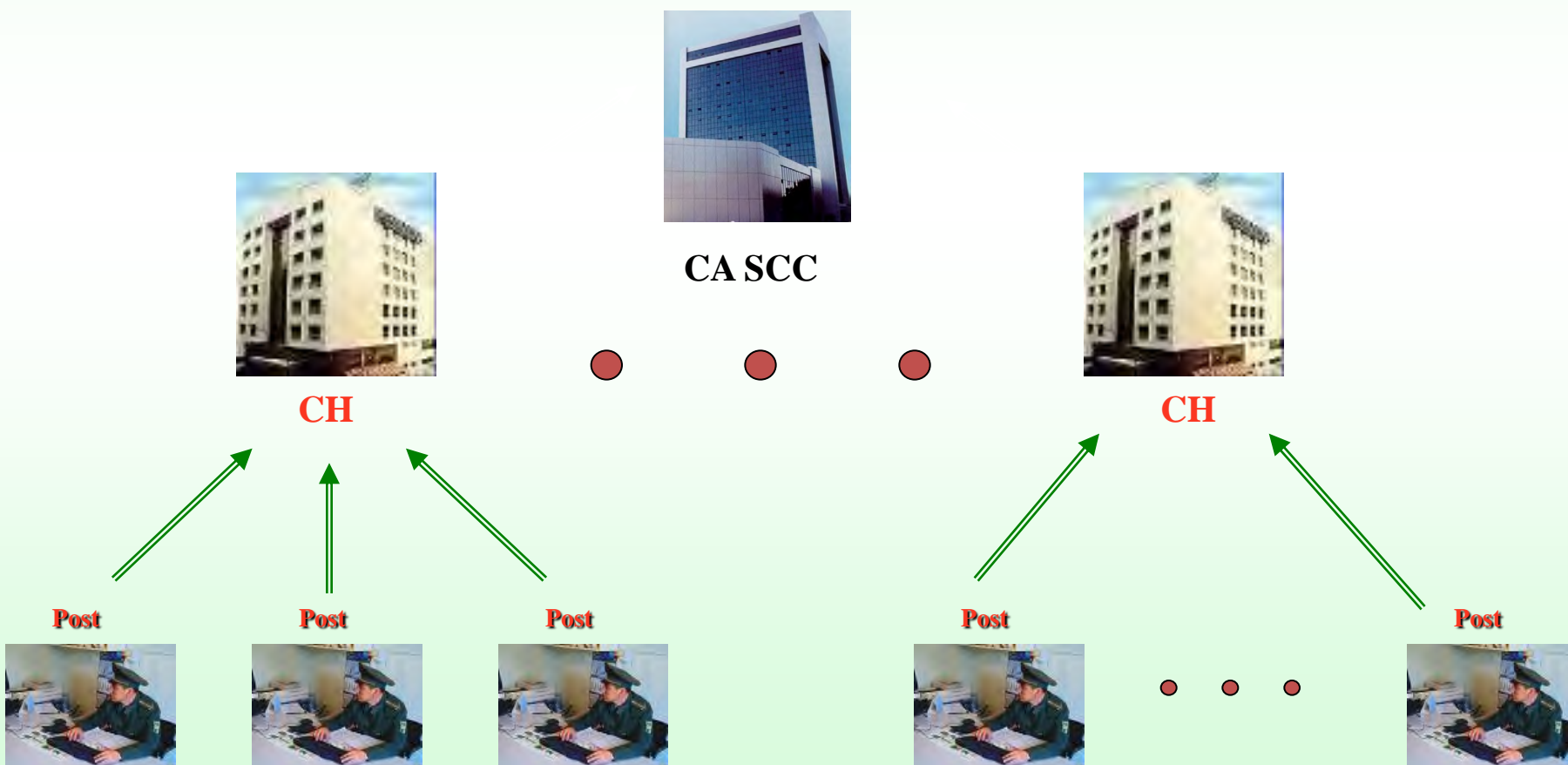
Par 7.1. of the Chapter 7 «Use of information technologies» of the Kyoto Conventions provides that the customs applies information technology for customs operations where it is economically and effectively justified for both customs and trade. Customs shall determine the terms of use.

According to requirements of the Decree of the President of Republic Uzbekistan #117, 8.07.2005, «On additional measures for further development of information-communication technologies» and Decree of the President of Republic Uzbekistan #-302, 9.03.2006, «On additional measures for working arrangements of the State Customs Committee of Republic Uzbekistan», the State Customs Committee carries out the systemic work on introduction of the information-communication technologies providing the effective control over movement of freight traffics, moved in modes of import, export and transit, and also over the other processes of their customs clearance.



Introduction of information technologies

Since 2006, a number of the automated information systems providing gathering, processing, accumulation, analysis, storage and transfer in a real time mode of the information based on « customs post – regional customs house - State Customs Committee » and back has been developed and introduced.





Introduction of information technologies

These systems capture practically all key functions and areas of customs, such as:

1. Control of delivery of cargoes by road and railway;
2. Control and account of storage of the goods in customs warehouses;
3. Submitting of customs electronic declaration via Internet;
4. Control of customs value of goods and payments of customs charges;
5. Control of declaring of the goods under various customs modes and data processing of cargo customs declarations;



Introduction of information technologies

6. Account and monitoring of execution of export-import contracts, within the limits of Uniform electronic information system of the foreign trade operations of the ministries and departments;
7. Control of performing discipline – departmental electronic document circulation;
8. Account and control of customs offences;
9. Factorial analysis and monitoring of dynamics of receipt in the state budget of customs taxes;
10. Account and control of the citizens crossing customs border of Republic Uzbekistan.



Risk management system

Para 6.3. of the Chapter 6 «Customs Control» provides that customs uses the risk management system.

The Order of the State Customs Committee of Republic Uzbekistan #31, 9/30/2008, developed the Concept on introduction of customs risk management system.

At the same time, for the purpose of creation of legal basis for customs risk management system, the draft of new Customs Code of Republic Uzbekistan, in the section IV «Customs Control», provides for the use of such risk management system that is based on prevention of most often sustainable repeating violations of customs legislation connected with evasion from payment of customs duties.



Draft of new Customs Code

Draft of new Customs Code, submitted for consideration of the Parliament of Republic Uzbekistan is comprised of **13 sections, 56 chapters and 514 articles** (current Customs Code has 11 sections, 19 chapters, 179 articles; Law «On custom duties» has 31 clauses). In the given draft with a view of simplification of customs procedures the following is stipulated:





Main goals for development of the Draft Customs Code

- With a view of reduction of the number of documentary checks by customs and fastening customs control over release of goods, the new draft provides for restriction of time for post-customs control up to three years. Time for the post-customs control connected with a customs valuation is one year. The current Code does not provide for maximal time during which the post-customs control can be carried out;

Current Code	Proposed draft
<p>Clause 51. Customs control over release of goods and vehicles.</p> <p>Customs control over goods and vehicles can be carried out after their release if there are grounds to believe that there has been violation of the legislation.</p>	<p>Clause 247. Time for carrying out of customs control over release of goods</p> <p>Customs control over release of goods can be carried out within three years from the moment of release of goods, except for the cases stipulated by the Part 2 of the present clause.</p> <p>Customs control over release of goods, connected with customs valuation, can be carried out within one year from the moment of their release.</p>

- Procedure of moving by physical persons for not commercial purposes in hand luggage and in accompanied luggage has been simplified. So, the goods moved by physical persons for not commercial purposes in hand luggage and in accompanied luggage, value and number of which is regulated by the limit rates of duty-free import, are to be declared in oral form;

Current Code	Proposed draft
<p>Clause 40. Goods and vehicles subject to customs control.</p> <p>Goods and vehicles moved through customs border of Republic Uzbekistan are a subject to customs control.</p> <p><i>2. MJ Reg., 1/13/1998 #390 « INSTRUCTION on the order of filling of customs declaration, form T-6 »</i></p> <p><i>Par 1.</i></p> <p>Customs declaration form T-6 (hereinafter, the declaration) is applied at the customs control and registration of national currency of Republic Uzbekistan, of the foreign currency, currency valuables, goods, vehicles and other subjects moved through the customs border of Republic Uzbekistan by physical persons and not intended for industrial or other commercial purposes.</p>	<p>Clause 175 Declaring of goods by physical persons.</p> <p>The goods moved by physical persons for not commercial purposes in hand luggage and in accompanied luggage, are to be declared in the oral form, except for the goods, import or export of which is forbidden or limited according to the legislation, and also for the goods, value and (or) quantity of which exceeds the restrictions established in conformity with the clause 171 of the present Code.</p>

- **At present, the new draft of the Customs Code of Republic Uzbekistan is being considered by the Cabinet of Republic Uzbekistan.**



Thank you very much !