

Article 4

All settlements and payments on trade economic cooperation between the Kyrgyz Republic and the Republic of Moldova shall be made in compliance with the Agreement between the authorized banks of the Contracting Parties.

Article 5

Each Contracting Party shall not allow/permit re-exportation of goods, in respect of exportation of which the other Contracting Party, where these goods originate from, applies measures of tariff or non-tariff regulation.

Re-exportation of such goods to third countries may be carried out only by written consent and on terms and conditions to be determined by the authorized body of a State which is the country of origin of these goods. In the event of non-fulfilling this provision, a Contracting Party, whose national interests have been violated, shall have the right to unilaterally introduce measures on regulating exportation of goods to the territory of the State which carried out non-sanctioned re-exportation. And the last currency earnings from such re-exportation shall return to the country of origin of the relevant goods.

Re-exportation shall be exportation of a product (that originates in the customs territory of one Contracting Party) by the other Contracting Party outside the customs territory of the latter in order to export to a third country.

Article 6

The Contracting Parties shall, on a regular basis, exchange information concerning laws and other normative [legislative] acts on economic activity, as well as concerning the issues of trade, investments, taxation, banking and insurance activity and other financial services, concerning transport and customs issues, including customs statistics.

The Contracting Parties shall, without delay, inform each other of changes in the national legislation which may affect the implementation of this Agreement.

The authorized bodies of the Contracting Parties shall coordinate the procedure of exchanging such information.

Article 7

The Contracting Parties shall aspire to bring together the levels of customs duty rates applied in trade with third countries, and for these purposes they have agreed to arrange regular consultations.

The Contracting Parties shall inform each other of current customs tariffs and all exceptions to them.

Article 8

The Contracting Parties shall acknowledge incompatibility of unfair business practice with the objectives of this Agreement and shall be obliged not to allow/permit and eliminate particularly the following methods:

- agreements between enterprises, decisions made by their associations and general methods of business practice aiming at preventing from or restricting competition or violating conditions for it on the territories of the Contracting Parties;
- actions with the help of which one or several enterprises use their dominant position restricting competition on the whole or considerable part of the territory of the Contracting Parties;

Article 9

When carrying out measures of tariff and non-tariff regulation of bilateral economic relations, for exchanging statistical information and carrying out customs procedures, the Contracting Parties have agreed to apply a single nine-digit Goods Nomenclature of Foreign Economic Activity based on the Harmonized Commodity Description and Coding System and the Combined Tariff Statistical Nomenclature of the European Economic Community. The Contracting Parties shall, for their own needs, if necessary, carry out the development of a Goods Nomenclature beyond nine digits.

The introduction of a standard copy of the Goods Nomenclature shall be carried out on a mutually coordinated basis through the available representative offices in relevant international organizations.

Article 10

The Contracting Parties have agreed that the observance of the principle of transit freedom shall be the most important condition for achieving the objectives of this Agreement and shall be an essential element of the process of their attachment to the system of international division of labour and cooperation.

In this connection, each Contracting Party shall provide a free transit, via its territory, of goods originating in the customs territory of the other Contracting Party and/or third countries and intended for the customs territory of the other Contracting Party or any third country. Each Party shall provide exporters, importers or carriers with means and services available and necessary for ensuring transit of a means and service on terms and conditions not worse than those on which the same means and services are provided to their exporters, importers or carriers or to exporters, importers or carriers of any third State.

The Contracting Parties have agreed that transit tariffs by any kind of transport including tariffs on loading and unloading works shall be economically based.

Article 11

This Agreement shall not prevent either of the Contracting Parties from the right to take measures generally accepted in the international practice, which are considered by the Party necessary for protecting its vital interests or which are undoubtedly necessary for the implementation of the international agreements to which it is a signatory or intends to become a signatory, if these measures concern:

- information affecting interests of the national defence;
- trade in weapons, ammunition and military equipment;
- investigations or production connected with needs of defence;
- deliveries of materials and equipment used in nuclear industry;