ANNEX 7
to the Treaty on the
Eurasian Economic Union

PROTOCOL
on Measures for Non-tariff Regulation with regard to Third Countries

I. General Provisions

1. This Protocol is developed in accordance with Section IX of the Treaty on the Eurasian Economic Union and establishes the procedure and cases of application of measures for non-tariff regulation with regard to the third countries by the EAEU.

The provisions of this Protocol shall not be applied to the relations concerning the issues of technical regulation, the application of sanitary, veterinary and phytosanitary requirements, measures in the field of export control and military-technical cooperation.

2. The following definitions used in this Protocol:

"Automatic licensing (monitoring)" - a temporary measure, established with a view to monitor the dynamics of export and (or) import of certain kinds of goods;

"General license"- a license granting to the participants of foreign trade activity the right to export and (or) import certain kinds of licensed goods in quantity specified in license;

"Prohibition" - a measure prohibiting the import and (or) export of certain goods;

"Import" - importation of goods into the customs territory of the EAEU from third countries without the obligation to re-export;

"Exclusive license" - a license granting to the participants of foreign trade activity the exclusive right to export and (or) import certain kinds of goods;

"Exclusive right" - the right of the participants of the foreign trade activity to perform the export and (or) import of certain kinds of goods on the basis of an exclusive license;

“Quantitative restrictions” - measures on quantitative restrictions for the foreign trade in goods that are implemented under the quota;

“Licensing” - a set of administrative measures imposing the procedure for issuing licenses and (or) permits;

“License” - a special document on the right to export and (or) import the goods;

“One-time license” - license issued to the participants of foreign trade activity on the basis of a foreign trade contract, the subject of which is the licensed good, it grants the right to export and (or) import this good in a certain amount;

“Permit” - a special document issued to the participants of foreign trade activity on the basis of a foreign trade contract, the subject of which is the good in respect of which was implemented the automatic licensing (monitoring);

“Document of permit” - a document issued to the participants of foreign trade activity or individuals providing the right to import and (or) export of goods in the cases determined by the Act of the Commission;

“Authorized Body” - an executive body of a member State, invested with the right to issue licenses and (or) permits;

“Participants of foreign trade activity” - legal entities and organizations which are not legal entities registered in one of the member States and created in accordance with the legislation of this State, physical persons having a permanent or primary domicile on the territory of one of the member States, being citizens of this State or having a right to permanently reside there, or registered as sole traders in accordance with the legislation of this State;

“Export” - exportation of goods from the customs territory of the EAEU to the third countries without the obligation to re-import.

II. Introduction and Application of Measures for Non-tariff Regulation

3. Common measures for non-tariff regulation (hereinafter: measure) in trade with third countries are applied on the territory of the EAEU.

4. Decisions on the introduction, application, extension and termination of the measure are adopted by the Commission.

Goods in respect of which decision on application of the measure was adopted shall be included in the Common list of goods subjects to measures for non-tariff regulation in trade with third countries (hereinafter: Common list of goods).

Goods in respect of which the Commission adopted a decision to establish tariff quotas or import quotas as a special safeguard measure and on issuing the license shall be included also in the Common list of goods.

5. Proposal on the introduction or termination of measure can be performed by a member State, as well as by the Commission.

6. During the preparation of the Act of the Commission on the introduction, application, extension and termination of the measure, the Commission shall inform the participants of foreign trade activity of member States, the economic interests of which may be affected by the adoption of such an Act, on the possibility to make suggestions and comments to the Commission and to conduct consultation.

7. The Commission shall decide on the manner and form of consultations, as well as the manner and form of communicating information on the progress and results of consultation to the interested persons, who have submitted their comments and suggestions.

Lack of consultation cannot be considered as the basis for the recognition of the Commission's decisions, affecting the right to conduct foreign trade activity, as invalid.

8. The Commission may decide not to hold consultations provided any of the following conditions is met:

1) measures under the draft decision concerning the right to conduct foreign trade activity, should not be known until its entry into force and consultation would or could result in failure to reach the goals of such a decision;

2) consultations will delay a decision affecting the right of foreign trade activity, which could lead to significant material injury of the interests to the member States;

3) draft decision of the Commission affecting the right of foreign trade activity envisages granting exclusive rights.

9. Procedure for submitting proposals on the introduction or termination of the measures shall be determined by the Commission.

10. The Decision of the Commission on the introduction of measure may include customs procedures by the application of which the customs authorities control the compliance of measures as well as customs procedures which cannot be applied for those goods on which measure was introduced.

III. Prohibition and Quantitative Restrictions on the Export and Import of Goods

11. Export and import of goods shall be carried out without application of prohibition and quantitative restrictions, except as provided for in paragraph 12 of this Protocol.

12. In exceptional cases, the following measures can be applied:

1) Export prohibitions or restrictions temporarily applied to prevent or relieve critical shortages of foodstuffs or other products essential to the internal market of the EAEU;

2) Import and export prohibitions or restrictions necessary to the application of standards or regulations for the classification, grading or marketing of commodities in international trade;

3) Import restrictions on fisheries product in any form, if necessary to:

limit the production or sale of the like product originating in the territory of the EAEU;

limit the production or sale of goods originating from the territory of the EAEU, which can be directly replaced by imported goods, if the EAEU does not have significant production of the like product;

remove from the market a temporary surplus of the like product originating in the territory of the EAEU, by providing this surplus to some groups of consumers for free or at below-market prices;

remove from the market a temporary surplus of goods originating from the territory of the EAEU, which can be directly replaced by imported goods, if the EAEU does not have significant production of the like product, by providing this surplus to some groups of consumers for free or at below-market prices.

13. The introduction of the quantitative restrictions by the Commission on the territory of the EAEU involves exports and (or) import quotas.

Quantitative restrictions are applied:

for export - only in respect of goods originating from the territory of the EAEU;

for import - only in respect of goods originating from third countries.

Quantitative restrictions are not applied to import of goods from the territory of any third country or the export of goods to the territory of a third country, unless such quantitative restrictions do not apply to import from all third countries or export to all third countries. This condition does not preclude compliance with the obligations of the member States in conformity with international treaties.

14. Goods in respect of which may be imposed prohibition or quantitative restrictions on exports, shall be included in the list of goods that are essential for the domestic market of the EAEU, which is adopted by the Commission on the basis of proposals from the member States, in respect of which in exceptional cases may be imposed temporary prohibitions or quantitative restrictions on export.

15. In accordance with subparagraph 1 of paragraph 12 of this Protocol, while imposing prohibition or quantitative restrictions on the export of agricultural products, which are essential for the internal market of the EAEU, the Commission shall:

take into account the impact of the prohibition or quantitative restrictions on food supply security of the third countries importing such agricultural goods from the territory of the EAEU;

notify in advance the World Trade Organization Commission on Agriculture on the nature and duration of the prohibition or quantitative restrictions on the export;

organize consultations or provide all the necessary information on matters relating to the issue at the request of any importing State.

This paragraph refers to the importing State that is considered as the State whose share of imports of agricultural goods originating on the territory of the member States, in respect of the export of which is planned to introduce a prohibition or a quantitative restriction, is not less than 5 percent.

16. The Commission distributes volumes of export and (or) import quotas between member States and determines the way of distribution of shares of export and (or) import quotas among the participants of foreign trade activity of the member States, as well as the volumes of import quotas between third countries.

The distribution of volumes of export and (or) import quotas between member States shall be conducted by the Commission on the basis of the tasks that need to be resolved by introducing quantitative restrictions after examination of proposals of the member States and production volumes and (or) the consumption of goods in each of the member States.

17. The Commission after adopting decision on the application of export and (or) import quotas ensures:

1) establishment of export and (or) import quotas (irrespective of whether they will be distributed between third countries or not) for a specified period;

2) information of all interested third countries on the amount of import quota available to them (if the import quota is shared between third countries);

3) publication of information on the application of export and (or) import quotas, their amounts and timing of actions, as well as on the distribution of import quotas between third countries.

18. Distribution of import quotas between third countries is executed, as a rule, by the Commission on the basis of consultations with all significant suppliers from third countries.

Significant suppliers of third country mean suppliers having a share of 5 percent or more in the import of the goods into the territory of the EAEU.

19. If the distribution of import quotas cannot be executed based on consultations with all significant suppliers from third countries, the decision on the distribution of quotas between third countries shall be taken by the Commission taking into consideration the volume of deliveries of goods from these countries during the preceding period.

20. The Commission shall not impose any conditions or formalities that can prevent any third country to utilize fully its import quota, provided that the delivery of the goods will be made during the period of import quota.

21. The choice of the preceding period for the goods in respect of which the export and (or) import quotas are applied is made by the Commission. As a rule, this period involves any previous 3 years, for which there is available information reflecting the real exports and (or) imports. If there is no possibility to choose preceding period export and (or) import quotas are distributed on the basis of assessing the most likely distribution of actual volumes of exports and (or) import.

Under this paragraph the real volume of exports and (or) imports means the volume of export and (or) import without any restrictions.

22. Upon request of any third country interested in the delivery of goods, the Commission shall consult with the country on:

1) the necessity for redistributing the import quotas;

2) modification of selected preceding period;

3) the necessity of abolishment of the conditions, formalities or any other provisions established unilaterally concerning the distribution of import quota or its unrestricted use.

23. Distribution of the shares of export and (or) import quotas among the participants of foreign trade activity is executed by the member States by means determined by the Commission, and is based on the principles of equality of participants of foreign trade activity in respect of receipt of shares of export and (or) import quotas and non-discrimination on grounds of form of ownership, place of registration or place on the market.

24. It is prohibited to require that the license will be used for export (import) of goods in any particular country and (or) from any particular country, except when the import quota is distributed among third countries.

25. Due to application of export and (or) import quotas, the Commission shall:

1) provide to the third countries interested in trade with the specified product with information regarding the order of distribution of export and (or) import quotas, the

mechanism of their distribution among the participants of foreign trade activity and the volume of licensed quotas;

2) publish information on the total quantity or value of goods export and (or) import of which will be resolved within a certain time in the future, as well as the dates of start and stop of the export and (or) import quotas and any changes therein.

IV. Exclusive Right

26. Conduction of foreign trade activity may be limited by granting an exclusive right.

27. Goods for export and (or) import of which the exclusive right is granted, as well as the procedure for determining by the member States participants of the foreign trade activity that are to be granted with the exclusive right shall be determined by the Commission.

The list of participants of the foreign trade activity that are granted the exclusive right on the basis of the Decision of the Commission shall be published on the official web-site of the Commission.

28. The decision to impose restrictions on foreign trade activity by granting the exclusive right shall be adopted by the Commission based on the proposal from the member States.

Justification for the need to introduce the exclusive right shall contain financial and economic calculations and other necessary information, confirming the practicability of this measure.

29. The participants of foreign trade activity, which are granted by the member States the exclusive right based on the decision of the Commission, conduct business on export and (or) import of the corresponding goods basing on the principle of non-discrimination, and guided only by commercial considerations, including conditions of purchase or sale, and provide organizations of third countries with adequate opportunity (in conformity with usual business practice) to compete for participation in such purchases or sales.

30. Import and (or) export of goods in respect of which the participants of foreign trade activity have the exclusive right shall be conducted on the basis of exclusive licenses issued by the authorized body.

V. Automatic Licensing (monitoring)

31. For the purpose of monitoring the dynamics of export and (or) import of certain goods, the Commission has the right to impose automatic licensing (monitoring) (hereinafter: automatic licensing).

32. The introduction of the automatic licensing is carried out on the initiative of the member States or the Commission.

Justification of the need to impose the automatic licensing shall contain information on the impossibility of monitoring of quantitative rates of export and (or) import of certain goods and their changes by the other means.

33. The list of specific kinds of goods in respect of which imposed automatic licensing as well as its terms shall be determined by the Act of the Commission.

Goods in respect of which imposed automatic licensing shall be included in the Common list of goods.

34. Import and (or) export of goods in respect of which imposed automatic licensing is carried out on the basis of permits issued by the authorized body of the member States in the manner determined by the Act of the Commission.

35. The issue of permits for import and (or) export of goods included in the Common list of goods shall be carried out in accordance with the Rules defined in the Appendix to this Annex.

VI. Permit Order

36. Permit order of import and (or) export of goods is implemented by introduction of licensing or application of other administrative measures regulating foreign trade activity.

37. The decision on the introduction, application and termination of permit order procedure shall be adopted by the Act of the Commission.

VII. General Exceptions

38.Under import and export of certain goods measures, which can derogate from the provisions of Section III and IV of this Protocol, can be imposed, if they are

1) necessary to maintain public morals or law and order;

2) necessary to protect life or health of citizens, the environment, life or health of animals and plants;

3) related to export and (or) import of gold or silver;

4) applied to protect cultural values and heritage;

5) necessary to prevent the depletion of irreplaceable natural resources and implemented simultaneously with a limitation of domestic production or consumption related to the use of irreplaceable natural resources;

6) linked to a limitation of export of domestic raw materials to provide sufficient quantity of such materials for the domestic manufacturing industry in periods when domestic prices for such materials are kept lower than world prices as the result of a stabilization plan implemented by the government;

7) necessary to acquire or distribute goods which are in total or local shortage;

8) necessary to implement international commitments;

9) necessary to guarantee defense and security;

10) necessary to ensure the implementation of legal acts not contravening international commitments and related to the application of the customs law, preservation of the environment, protection of intellectual property, and other legal acts.

39. Measures stipulated in paragraph 38 of this Protocol, which are introduced by the Act of the Commission, shall not serve as a means of arbitrary or unjustifiable discrimination against third countries, or a disguised restriction on foreign trade of goods.

40. For the purpose of introduction or termination of the measure in respect of certain kinds of goods on the grounds stipulated in paragraph 38 of this Protocol, member

States shall submit to the Commission the documents containing the nature of the proposed measures, the term of their application, as well as justification of necessity for introduction or termination of such measures.

41. If the Commission rejects the proposal of the member State to introduce the measure on the grounds stipulated in paragraph 38 of this Protocol, the member State that has submitted the proposal of their introduction, may impose such measures unilaterally in conformity with Section X of this Protocol.

VIII. Protection of External Financial Position and Safeguarding the Balance of Payments

42. If it is necessary to protect the external financial position and safeguard the balance of payments, measures may be applied, including measures that derogate from Sections III and IV of this Protocol.

Such measures may by applied by reason of critical condition of balance of payments only in the cases if other measures cannot stop a serious deterioration of position with external payments.

43. Measures, including measures that derogate from Sections III and IV of this Protocol may be applied if payments for imported goods are carried out in currencies forming foreign exchange reserves of the member States mentioned in paragraph 44 of the Protocol.

44. Restrictions on imports shall not be more substantial than necessary to prevent an imminent threat of serious decline in foreign exchange reserves of the member States or to restore a reasonable rate of increase in the foreign exchange reserves of the member States.

45. The Commission reviews the proposal of the member State on application of the measure mentioned in paragraph 42 of this Protocol.

46. If the Commission does not accept the proposal of the member State on application of the measure, the member State may unilaterally apply the measure specified in paragraph 42 of this Protocol in accordance with Section X of this Protocol.

IX. Licensing in the Field of Foreign Trade of Goods

47. Licensing in cases imposed by the Commission shall be applied for import and (or) export of certain goods, if in respect of such goods are introduced:

quantitative restrictions;

exclusive right;

permit order;

tariff quota;

import quota as a special safeguard measure.

Licensing is implemented by the issuing of the import and (or) export license for goods to the participant of the foreign trade activity by the authorized body.

Licenses issued by the authorized body of one member State are recognized by all other member States.

48. Licensing of the import and (or) export of goods included in the Common list of goods shall be carried out in accordance with the Rules defined in the Appendix to this Protocol.

49. Authorized bodies issue the following licenses:

one-time license;

general license;

exclusive license.

Issuance of general and exclusive licenses is carried out in cases determined by the Commission.

X. Application of Measures Unilaterally

50. In exceptional cases on the grounds provided for in Sections VII and VIII of this Protocol, the member State may unilaterally impose temporary measures in trade with third countries, including on the grounds which are different from those mentioned in Section III and IV of this Protocol;

51. The member State that introduced a temporary measure shall in advance, but no later than three calendar days prior to its introduction, notify the Commission and submit a proposal for the introduction of such measures within the customs territory of the EAEU.

52. The Commission shall consider the proposal from the member State on imposition of temporary measure and on the basis of the proposal from the member State, the Commission may decide to impose such measures on the customs territory of the EAEU.

53. In this case the validity of such a measure shall be set up by the Commission.

54. If the decision to impose temporary measures on the customs territory of the EAEU is not adopted, the Commission informs the member State, which imposed temporary measures, and customs authorities of the member States that temporary measure is valid not more than 6 months from the date of their introduction.

55. After receiving a notification from the member States on the introduction of temporary measure, the Commission shall immediately inform the customs authorities of the member States on the introduction of the temporary measure by one member State. Information shall include:

1) name of the legal normative act of the member State according to which the temporary measure is imposed;

2) name of the good and its code in conformity with the UNCFT of the EAEU;

3) introduction date of the temporary measure and the term of validity.

56. After receiving the information specified in paragraph 55 of this Protocol customs authorities of the member States shall not allow:

export of the corresponding goods originating from the territory of the member State which has unilaterally applied the temporary measure information on which is contained in such information without a license issued by the authorized body of that member State;

import of the corresponding goods destined for the member State which has unilaterally applied the temporary measure without a license issued by the authorized body of that member State. The member States that do not apply the temporary measure shall take the necessary efforts to prevent the importation of these goods into the territory of the member State which has applied the temporary measure.

Appendix to Annex 7
of the Treaty on the
Eurasian Economic Union

The Rules of the Issuance of Licenses and Permits to Export and (or) Import of Goods

I. General Provisions

1. These Rules determine the order of license issuance and issuance of permits for export and (or) import of goods included in the Common list of goods which are subject to non-tariff measures in trade with the third countries.

2. In these Rules the terms are used as specified in Annex No. 7 to the Treaty on the Eurasian Economic Union as well as the following terms:

“Applicant” - a participant of foreign trade activity submitting to an authorized body the documents for registration of a license or permit;

“Execution of license” - the factual import into the customs territory of the EAEU, or export from the customs territory of the EAEU of goods in respect of which the customs authorities performed the clearance on the basis of issued (executed) licenses;

3. For the issuance (execution) of licenses and duplicate copies of the licenses, the authorized body imposes the state duty (license fee) in the manner and amount stipulated in the legislation of the member State.

4. Licenses and permits are issued for each product that is classified according to United Goods Nomenclature of foreign economic activity of EAEU in respect of which introduced licensing or automatic licensing (monitoring).

5. The signatures of officials of the authorized bodies who empowered to sign licenses and permits as well as the specimen seal impression of the competent authorities shall be submitted to the Commission for notification of the customs authorities of the

member States.

6. Documents submitted for registration of a license or permit as well as documents confirming the fulfillment of the license shall be kept by the authorized bodies for 3 years after the expiration of the license or permit or the date of the decision to terminate or suspend the license.

After this period, the documents shall be destroyed in accordance with the legislation of the member State where a license or permit was issued.

7. Authorized bodies shall keep a database of issued licenses and permits and submit this information to the Commission in the manner and within the timeframe established by the Commission. The Commission submits the data on issued licenses to the customs authorities of the member States.

II. Order of the Licenses Issuance

8. Registration of application for a license and execution of license shall be carried out in accordance with the Instruction on the registration of application for a license to export and (or) import of certain goods and registration of such a license, which shall be adopted by the Commission.

License may be issued (registered) in the form of an electronic document in the order adopted by the Commission and before adoption - in accordance with the legislation of the member State.

Structure and format of the license made in the form of electronic documents shall be approved by the Commission and before adoption - in accordance with the legislation of the member State.

9. Validity of a one-time license may not exceed one year from the date of its entry into force. Validity of a one-time license may be limited by the validity period of a foreign trade contract (agreement) or validity of the document that served as a basis for the issuance of a license.

For the goods in respect of which were imposed quantitative restrictions on export and (or) import or an import quota as special safeguard measures or tariff quotas, the validity period of license shall be expired in the calendar year for which was imposed the quota.

Term of validity of a general license may not exceed one year from the date of its inception, and for the goods in respect of which quantitative restrictions have been imposed, it ends in a calendar year for which a has been implemented, unless otherwise agreed by the Commission.

The Commission in each particular case shall establish term of validity of an exclusive license.

10. For registration of a license by an applicant or his representative that has written confirmation of his authority the following documents shall be submitted to the authorized body:

1) an application for a license, filled and formed in accordance with the instructions on the registration of an application for a license to export and (or) import of certain goods and presentation of such a license (hereinafter: application);

2) an electronic copy of the statement in a format approved by the Commission, before its approval – in the order established by the legislation of the member State;

3) a copy of a foreign trade agreement (contract), appendices and (or) additions to it (for a one-time license), and in the absence of a foreign trade agreement (contract) - a copy of a document confirming the intentions of the parties;

4) a copy of a document of registration in tax authorities or registration authority, if such requirement is established in the legislation of the member State;

5) a copy of the license to conduct a licensed activity (if established in the legislation of the member State), if such activity is connected with the turnover of the goods, in respect of which licensing has been introduced for the customs territory of the EAEU;

6) other documents (information), if they are decided upon by the Decision of the Commission, pursuant to which a licensing of this good has been introduced.

11. Each sheet of submitted document copies must be attested by signature and stamp of the applicant, or copies of documents must be stitched up and attested by signature and stamp of the applicant.

Documents submitted by the applicant shall be registered in the authorized body.

Application and applied documents (information) may be submitted in electronic form in accordance with the legislation of the member State. It is allowed to submit documents (or information about them) in form of scanned documents certified by the electronic signature of the applicant, if it is prescribed by the legislation of the member State.

License shall be issued after the applicant has submitted a document confirming payment of state fee (license fee) in order and amount prescribed by the legislation of the member State.

12. In cases stipulated by the Commission's decision, a statement prior to submission to the authorized body shall be sent by the applicant or the authorized body for approval to the appropriate executive state authority of the member State, defined by the member State, if is prescribed by the legislation of the member State.

13. Issuance of a license or refusal to issue shall be made by the authorized body on the basis of the documents stipulated in paragraph 10 of the these Rules within 15 working days from the date of submission of the documents, unless otherwise established by the Decision of the Commission.

14. The grounds for refusal to issue a license are:

1) the presence of incomplete or inaccurate information in the documents submitted by the applicant to get a license;

2) non-compliance with the requirements stipulated in paragraphs 10-12 of these Rules;

3) termination or suspension of one or more documents that serve as the basis for issuance of a license;

4) violation of international obligations of the member State, which may occur as a result of execution of the contract (contract) for realization of which a license is being requested;

5) quota exhaustion as well as tariff quotas or their absence (in the case of registration of a license for goods subject to quotas).

6) on the other grounds stipulated by the Act of the Commission.

15. Decision to refuse to issue a license shall be reasoned and submitted to the

applicant in writing or in electronic form, if it is prescribed by the Act of the Commission and in the absence of the Act – by the legislation of the member State.

16. Authorized body draws up an original license, which is issued to the applicant. Applicant before the customs clearance of goods shall submit the original license to the relevant customs authority, which in setting license control gives the applicant its copy with the stamp of customs authority on the setting license control.

If the authorized body issued (registered) license in the form of an electronic document, in this case the applicant is not required to submit the original license in paper form to the customs authority of his/her state.

Order of interaction of authorized and customs bodies for the execution of licenses issued in electronic form shall be defined by the legislation of the member State.

17. Amendments to the issued licenses are not permitted, including those for technical reasons.

18. If amendments were made in the constituent documents of the applicant registered as a legal entity (the change of the legal form, name or its residence), or if the passport data of the applicant had been changed, if it is a natural person, the applicant shall apply for termination of the issued license and submit an application for a new license with the documents confirming the specified changes.

19. Authorized body has the right to decide to terminate or suspend the license in the following cases:

1) a written request of the applicant, submitted in writing or in electronic form if it is prescribed by the legislation of the member State;

2) changes in the constituent documents of the applicant, registered as a legal entity (the change of the organizational-legal form, name or its location), or change of the passport information of the applicant, being a natural person;

3) identification of false information in the documents submitted by an applicant in order to obtain a license;

4) termination or suspension of one or more documents on whose basis the license was issued;

5) execution of the agreement (contract) under which the license is issued, violates

the international state obligations of the member State;

6) revocation of license on the licensed activity, if such activity is connected with the turnover of the goods, in respect of which a licensing is introduced;

7) identifying violations made while issuing a license, which caused the issuance of a license, which in compliance with the established order could not be issued;

8) non-observance by a licensee of conditions for issuance of a license specified by international legal acts or legal act of the member States;

9) availability of the judicial decision

10) non-observance by a licensee of paragraph 22 of these Rules.

20. A license shall be suspended from the date of the decision of the authorized body concerning this question.

A suspended license may be renewed by the authorized body after removing the causes of the suspension of this license. However, the license suspension is not a reason to extend it.

The order of suspension or termination of the license shall be determined by the Commission.

21. In the event of loss of license the authorized body shall issue upon a written request of the applicant and payment of state taxes (license fee) in the manner and amount as are prescribed by legislation of the member State a duplicate of the license, made out like the original, containing a record of "duplicate".

The request, which explains the causes and circumstances of loss of the license, is to be drawn up in any form.

The duplicate of the license shall be issued by the authorized body within 5 working days from the date of the request.

22. Holders of general and exclusive licenses on a quarterly basis, before the 15^{th} of the month following the reporting quarter, shall submit to the authorized body a report on the execution of the license.

Holders of one-time licenses shall submit to the authorized body a certificate of performance of the license within 15 days from the date of the expiration of the license.

23. With the removal of the license from control a relevant customs authority of the

member State shall provide the applicant on the basis of his written request within 5 working days a certificate on the performance of the license.

The form and the order of issuance of the certificate shall be determined by the Commission.

24. The customs authorities shall provide information in electronic form on the performance of licenses directly to the authorized body of the member State, if the submission of such information from customs authorities is prescribed by the legislation of the member State.

If information on the performance licenses submitted by the customs authorities in electronic form directly to the authorized body, reports on the performance of licenses and certificates of performance licenses shall not be submitted by the holders of licenses to the authorized bodies.

II. Order of Permits Issuance

25. Execution of the project permit and permit shall be effectuated in accordance with the instructions on the registration of the project permit for export and (or) import of certain goods and presentation of such a permit approved by the Commission.

Permit can be granted (formalized) in the form of electronic document in the manner approved by the Act of the Commission, and prior to adoption of such act - by the legislation of the member State.

Structure and format of permit in the form of electronic document shall be approved by the Act of the Commission, and prior to adoption of such act – by the legislation of the member State.

Permits issued by the authorized body of the member State shall be recognized by all other member States.

26. Period for issue of permits cannot exceed 3 working days from date of filing of application.

Permits shall be issued without limitation to any participants of foreign trade activity on the basis of the following documents submitted to the authorized body of the member

State:

written application;

draft permit in hard copy;

softcopy of draft permit in a format approved by the Commission, and prior to adoption– in format determined by the legislation of the member State.

27. Duration of permit shall be limited by calendar year in which permit is issued.

28. The authorized body shall formalize an original permit issued to participant of foreign trade activity or its representative, having a written confirmation for authority to receive it.

Participant of foreign trade activity prior to customs declaration of goods shall submit original permit to appropriate customs authority, which when setting permit on control, gives participant of foreign trade activity its copy with note of customs authority about setting on a control.

If the authorized body issued (formalized) permit in the form of electronic document, participant of foreign trade activity is not required to submit original permit in hard copy to customs authority of its state.

Order of interaction between authorized and customs authorities on control over execution of permit, issued in form of electronic document, shall be determined by the legislation of the member States.

29. Issued permits shall not be re-executed for other participants of foreign trade activity.

Amendments to the issued permits are not allowed.

30. In the event of loss of the issued permit the authorized body shall issue upon a written request of the applicant a duplicate of the permit, made out like the original, containing a record of "duplicate". This request shall explain the causes and circumstances of loss of the license. The request may be drawn up in any form.

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