NOTIFICATION UNDER ARTICLE 10.6.2 OF THE AGREEMENT ON TRADE FACILITATION

COMMUNICATION FROM ARMENIA

The following communication, dated 7 September 2020, is being circulated at the request of the delegation of Armenia for Members' information.

The Republic of Armenia hereby makes the following notification based on Article 10.6.2 of the Agreement on Trade Facilitation.

**Article 10, paragraph 6.2**

1. Chapter 55 of the Customs Code (hereinafter referred to as the Code) of the Eurasian Economic Union (hereinafter referred to as the Union) defines the regulations related to the activities of a customs broker.

2. In particular, according to Article 401 of the Code the customs broker shall carry out, in the name and on behalf of the declarant or other interested persons, customs operations in the territory of the member State whose customs authority included it in the registry of customs brokers, in accordance with treaties and acts on customs regulation. The relationship of the customs broker with the declarants or other interested persons shall be established on contractual basis.

3. At the same time, the activity of the customs broker within the framework of the Code is considered a type of registry activity carried out in the field of customs. The conditions for inclusion of persons in the registry of customs brokers and the grounds for exclusion of them from the registry are defined in accordance with Articles 402 and 403 of the Code.

4. Among other conditions, the condition for inclusion in the registry of customs brokers is ensuring the fulfilment of the obligations of the legal entity in the amount defined by the Eurasian Economic Commission, except in the cases provided for in Article 402 of the Code. The specified amount is set by the decision N 64 of the Council of the Eurasian Economic Commission of 15 September 2017 "on the extent of ensuring the fulfilment of the customs representative's obligations".

5. At the same time, other conditions for including a juridical person in the registry of customs brokers are provided by Article 28 of the RA Law "On Customs Regulation", and the requirements for the application for registration in the Registry of Customs brokers under Article 29 of the same law. Chapter 55 of the Code defines the rights and responsibilities of a customs broker.

6. At the same time, according to Article 30 of the RA Law "On Customs Regulation" customs formulations on behalf of a customs broker may be carried out only by a citizen of the Republic of Armenia who is in a working or civil contractual relationship with a customs representative or who has been qualified as a customs formulation specialist in accordance with the procedure established by the committee.

7. The same article defines the conditions for obtaining a qualification certificate for a customs formulation specialist. The programs of qualification examinations for customs formulation and the procedure for their conduct is defined by the order of the Chairman of the State Revenue Committee...
of the Government of the Republic of Armenia N 354-N of 13 October 2017. In particular, in accordance with the 2nd point of the appendix to the mentioned order the superior customs Authority organizes an examination every month to qualify customs formulation specialists. According to the 3rd point of the same order the examination is conducted by the commission established by the order of the head of the Superior Customs Authority, and in accordance with point 4, information on the date, time and place of the examination; the questionnaire; and, the deadline for submission of documents required for participation in them is posted on the official website of the RA Customs Service at least 10 days before the examination.

8. At the same time, after conducting the test in accordance with the same procedure, the Commission draws up a summary protocol on the test results, to which is attached the list of participants who passed the test. The mentioned list is published on the same day on the official website of the Customs service.

9. According to point 22 of the order one working day after the list is published on the official website of the customs service persons who have obtained the qualification of a customs formulation specialist as a result of the examination from the Information Technologies Department of the RA State Revenue Committee, they can receive a qualification certificate of a customs formulation specialist approved by the order of the Chairman of the RA State Revenue Committee and a login name and password to enter the automatic customs declaration system.

10. According to Part 4 of Article 30 of the RA Law "On Customs Regulation" the specialist who has received a customs formulation qualification certificate is trained by the customs authorities at least once every 3 years.

11. Chapter 6 of the same law defines the grounds and procedure for termination of the qualification certificate of a customs formulation specialist.