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| «APPROVED BY»: Head of Manas customs office\_\_\_\_\_\_\_\_\_\_\_\_\_ A. Asylbekov «17» august 2021  | «AGREED BY»: Director of the Precious Metals Department under the Ministry of Economy and Finance of the Kyrgyz Republic (MEF KR)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ K. Madumarov «17» august 2021  |

**Technological Scheme**

**of interaction between the Manas customs office and the Precious Metals Department under the Ministry of Economy and Finance of the Kyrgyz Republic (MEF KR) when importing into and exporting from the territory of the Kyrgyz Republic precious stones, precious metals and raw materials containing precious metals.**

1. This Technological Scheme (hereinafter referred to as the Technological Scheme) of interaction during customs сlearance and customs сontrol of precious stones, precious metals and raw materials containing precious metals included in sections 2.9 and 2.10 of the unified list of goods to which non-tariff regulation measures are applied in trade with third countries, provided for by the Protocol on non-tariff regulation measures in respect of third countries (Annex No. 7 to the Treaty on the Eurasian Economic Union of May 29, 2014) (hereinafter referred to as the Protocol on non-tariff regulation measures in respect of third countries – precious stones and precious metals, respectively) was developed in accordance with the requirements of the Customs Code of the Eurasian Economic Union (ratified by the Law of the Kyrgyz Republic No. 223 of December 30, 2017), the Law of the Kyrgyz Republic "On Customs Regulation" No. 52 of April 24, 2019, and the Decision of the Board of the Eurasian Economic Commission No. 30 of April 21, 2015.

2. The Technological Scheme is used for customs clearance and customs control of precious stones and precious metals named in sections 2.9 and 2.10 of the Decision of the Board of the Eurasian Economic Commission No. 30 dated April 21, 2015, except for precious stones and precious metals transported by individuals and not intended for industrial or other commercial activities those not intended for manufacturing or other commercial activities.

Precious stones shall include industrial diamonds, rough or simply sawn, split or primary machined, non-industrial diamonds, rough or simply sawn, split or primary machined, that can be used to make cut diamonds, unsorted diamonds, rubies, sapphires, emeralds, alexandrites, natural pearls, unique amber formations, industrial diamonds, with the exception of rough or simply sawn, split or primary machined, diamond chips and powder, polished diamonds, but unmounted or unset non-industrial (diamonds), jewelry made of precious stones and natural pearls.

Precious metals shall include gold, silver, platinum and platinum group metals (palladium, iridium, rhodium, ruthenium and osmium).

3. Customs clearance of precious metals and precious stones imported into and exported from the territory of the Kyrgyz Republic can be completed only after the implementation of state control in the prescribed manner, taking into account this Technological Scheme. State Control Certificates reflecting the results of state control are mandatory for customs purposes. The decision on the release of precious stones and precious metals is made with consideration to the data of the State Control Certificate.

4. Until a specialized customs post is organized for the purposes of state control on the territory of the Manas customs office, in order to ensure safety during the delivery of imported rough diamonds to the Precious Metals Department under the Ministry of Economy of Finance of the Kyrgyz Republic (hereinafter referred to as the Department) for customs control, delivery is made in customs escort.

In order to ensure accounting and control, the information on imported and exported rough diamonds is transmitted through electronic interaction between Manas customs office and the Department in the following cases:

- upon import, the Manas customs office notifies the Department of the imported rough diamonds within one day from the moment the rough diamonds arrive at the customs post;

- upon export, the Department notifies the Manas customs office about the issuance of a State Control Certificate for the export of rough natural diamonds and a Kimberley Process certificate for rough diamonds within one day from the date of issue of these documents

5. When the import of precious stones and precious metals is carried out by legal entities and in the event of a reasonable refusal to issue a Department’s State Control Certificate, customs clearance is carried out in accordance with paragraph 2 of Article 99 of the Law of the Kyrgyz Republic "On Customs Regulation" and paragraph 2 of Article 126 of the Customs Code of the Eurasian Economic Union in the presence of the following information:

- on the founders of the organization;

- on state registration of a legal entity;

- on bank accounts;

- on foreign economic activities;

- on site of an organization;

- on registration with the tax authority as a taxpayer and on the taxpayer identification number;

- about the place of storage of goods until the receipt of the Department’s State Control Certificate.

6. When the import of precious stones and precious metals is carried out by individual entrepreneurs (individuals) in the absence of permits from the Department, the customs clearance is carried out in accordance with paragraph 2 of the Article 99 of the Law of the Kyrgyz Republic "On Customs Regulation" and paragraph 2 of the Article 126 of the Customs Code of the Eurasian Economic Union in the presence of the following information:

- on state registration as an individual entrepreneur;

- personal passport data (surname, name, patronymic, residence address, date and place of birth;

- tax identification number.

- about the place of storage of goods until the receipt of the Department’s State Control Certificate.

If there is no information about the consignee in the database of Manas customs office when importing or exporting precious stones and precious metals, a specialist of the Department will be sent to the territory of the temporary storage warehouse of Manas Management Company JSC upon agreement with the Department. The movement of the specified specialist of the Department in the customs control zone is carried out only when accompanied by an inspection group official of the Customs Clearance Center of the Manas customs office.

7. In case of the export of precious stones and precious metals, both by legal entities and individual entrepreneurs (individuals), customs clearance is carried out subject to and on the basis of permits established by the legislation of the Eurasian Economic Union, the Department’s State Control Certificate and a certificate for the export of rough natural diamonds.

8. If necessary, the Department and the Manas customs office shall exchange information on the import and export of precious metals and precious stones, as well as on the number of issued State Control Certificates upon relevant requests for reconciliation and analysis of imported and exported precious metals and precious stones.

9. Amendments and modifications to this Technological Scheme can be made by mutual agreement of the parties.