

**On Approving the Regulations on Import Licensing of Commodities and Introducing Amendments to the Procedure for Considering Applications for the Issuance of Licenses in Nontariff Regulation of Foreign Economic Activity at the Ministry of Economy of Ukraine**

**Ministry of Economy  
Order No.302 of September 14, 2007**

**Registered with the Ministry of Justice of Ukraine  
on September 26, 2007 under No.1100/14367**

In compliance with Article 16 of the Law of Ukraine *On Foreign Economic Activity*, I hereby order to:

1. Approve the following, as attached:

Statute of the Procedure of Import Licensing of Commodities;

Form of import license and Instruction on its completion

Form of application for the acquisition of an import license and Instruction on its completion

2. Delegate to the state administrations in the oblasts, to the Kyiv and Sevastopol city state administrations, and to the authorized agency of the Autonomous Republic of Crimea (by its consent) the right to issue licenses for the import of commodities by foreign trade business entities who are registered in the corresponding regions and whose commodities under agreements (contracts) do not cost more than US \$300,000, except for the commodities for which quantitative import restrictions (quotas) have been set.

The Ministry of Economy of Ukraine shall by separate order determine the list of authorized structural units under the state administrations in the oblasts, the Kyiv and Sevastopol city state administrations, and the authorized agency of the Autonomic Republic of Crimea, as well as the list of officials who are entitled to sign licenses for the import of commodities.

By the fifth day of the month following the accounting month, the state administrations in the oblasts, the Kyiv and Sevastopol city state administrations, and the authorized agency of the Autonomic Republic of Crimea shall submit to the Ministry of Economic of Ukraine electronically and in hard copies information about the issuance, in accordance with their vested authority, of licenses for the import of commodities subject to licensing in compliance with Ukrainian legislation.

3. The execution of licensing for the import of commodities subject to quota allocation and licensing at the Ministry of Economy of Ukraine shall be the responsibility of the Section of Nontariff Regulation under the Department of Foreign Economic Policy.

4. Every month by the 10th day of the month following the accounting month, the Section of Nontariff Regulation under the Department of Foreign Economic Policy shall submit to the State Customs Service of Ukraine information about the execution of licenses for commodities the import of which is subject to quota allocation and licensing.

5. The *Procedure for Considering Applications for the Issuance of Licenses in Nontariff Regulation of Foreign Economic Activity at the Ministry of Economy of Ukraine*, approved by Ministry of Economy and European Integration of Ukraine No.122 of April, 2004 and registered with the Ministry of Justice of Ukraine on April 15, 2004 under No.482/9081, shall after the first sentence of paragraph 4, Item 5 be supplemented by a sentence of the following substance:

“The period of application acceptance shall be not less than 21 days.”

6. Recognized as invalid shall be paragraph 2, Item 1 of Ministry of Economy of Ukraine Order No.27 of February 5, 2007 *On the Procedure of Licensing Export and Import and Commodities in 2007* registered with the Ministry of Justice of Ukraine on February 26, 2007 under No.168/13435, and the *Statute of the Procedure of Licensing the Import of Commodities in 2007* approved by the present Order.

7. The Section of Nontariff Regulation under the Department of Foreign Economic Policy shall:

- jointly with the Legal Department ensure the submission of the present Order to the Ministry of Justice of Ukraine for state registration in the time established by legislation;
- jointly with the Financial-Administrative Department bring the present Order to the knowledge of the State Customs Service of Ukraine, the authorized agency of the Autonomous Republic of Crimea, the state administrations in the oblasts, as well as the Kyiv and Sevastopol city state administrations.

8. Control over the execution of the present Order shall be vested with the Deputy Minister of Economy N.Boitsun.

**Minister of Economy of Ukraine**

**A.Kinakh**

**Brought into accord with:**

**Executive Chairman,  
State Committee of Ukraine for  
Regulatory Policy and Entrepreneurship**

**O.Vashchenko**

**First Deputy Chairman,  
State Customs Committee of Ukraine**

**R.Cherkassky**

Approved  
by Ministry of Economy of Ukraine  
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## **Statute of the Procedure for Import Licensing of Commodities**

### **1. General Provisions**

1. The present Statute sets out the procedure for the Ministry of Economy of Ukraine and its authorized agencies of the executive executing and issuing licenses (hereinafter – a license) for the import of commodities subject to licensing in compliance with Ukrainian legislation.
2. The effect of the present Statute shall apply to all foreign trade business entities regardless of their forms of ownership. All foreign trade business entities shall be entitled to submit applications for the acquisition of licenses.

### **2. Procedure for Executing and Issuing Licenses**

1. A licenses shall be issued under the procedure set out by the Law of Ukraine *On Foreign Economic Activity* and the present Statute.

A license shall be issued according to the form approved by Ministry of Economy of Ukraine Order No.302 of September 14, 2007.

The Section of Nontariff Regulation under the Ministry of Economy of Ukraine and, within the limits of vested authority, the authorized agency of the Autonomous Republic of Crimea, the corresponding units of the state administrations in the oblasts, as well as the Kyiv and Sevastopol city state administrations shall issue licenses to the foreign trade business entities.

2. In order to acquire a license, the applicant-foreign trade business entity shall submit the following documents:

- application for the acquisition of a license according to the form approved by Ministry of Economy of Ukraine Order No.302 of September 14, 2007.
- letter-petition requesting the execution of a license with guarantee of payment of a state fee for its issuance;
- copy of certificate of state registration confirmed under legally established procedure;
- copy of a foreign trade agreement (contract), all annexes and specifications to them, confirmed under legally established procedure;
- original of adjustment with a corresponding authorized agency of the executive (in cases determined by the Cabinet of Ministers of Ukraine).

3. Foreign trade business entities shall be liable for untrustworthy information in the applications submitted for consideration to acquire licenses.

4. The date of submission of applications for the acquisition of a license shall be the date of its registration at the Ministry of Economy of Ukraine or its authorized agency in the Autonomous Republic of Crimean, corresponding units of the state administrations in the oblasts, as well as the Kyiv and Sevastopol city state administrations.

5. A license shall be issued for a validity period that does not hinder the foreign trade business entity from importing commodities, in distant places included, and conforms to the terms of a foreign trade agreement (contract). Commodities under the license may be delivered in separate shipments. A license shall be valid for customs clearance throughout the period of its validity.

In case quantitative restrictions on imported commodities have been set, the validity period of the license shall not exceed the effective period of the quantitative restrictions.

6. A license shall be issued, provided an original of the document confirming paying of state duty for the issuance of the license in the amount established by the Cabinet of Ministers of Ukraine has been submitted to the Ministry of Economy of Ukraine.

7. A license shall be issued to the authorized representative of a foreign trade business entity, provided he submits to the Ministry of Economy of Ukraine a power of attorney or its copy certified under legally established procedure for its receipt and presentation of a document confirming his identity.

8. The Ministry of Economy of Ukraine or its authorized agency in the Autonomous Republic of Crimean, corresponding units of the state administrations in the oblasts, as well as the Kyiv and Sevastopol city state administrations shall make a decision on the issuance or refusal of issuance of a license at the legally established time from the date of registration of the application.

9. Decisions on refusal of issuance of a license to a foreign trade business entity may be made if:

- the documents specified in Item 2 of this Section were submitted in disregard for the requirements to their completeness;
- the submitted documents do not conform to Ukrainian legislation;
- the set quota for a corresponding commodity has been exhausted (in case of introduction of the procedure of consideration of applications in the sequence of their arrival);
- special sanctions – suspension of foreign economic activity in compliance with Article 37 of the Law of Ukraine *On Foreign Economic Activity* – have been applied to the foreign trade business entity or his foreign partner;
- actions of the foreign trade business activity that result in the violation of Ukraine's assumed international commitments;
- the foreign trade business entity or his foreign partner violated Ukrainian legislation on foreign economic activity;

The decision on refusal of issuance of a license shall be set forth in writing.

10. Issuance of a license may not be denied upon submission of the necessary documents, if they accord with the established requirements.

11. The decisions of the Ministry of Economy of Ukraine or its authorized agency in the Autonomous Republic of Crimea, corresponding units of the state administrations in the oblasts, as well as the Kyiv and Sevastopol city state administrations on refusal of issuance of a license may be challenged by the foreign trade business entity under legally established procedure.

**Director,  
Department of Foreign Economic Policy**

**V.Andriashchuk**





**IMPORT LICENSE No.**

**valid until \_\_\_\_\_ (inclusive)**

Letter-petition No. \_\_\_\_\_ of \_\_\_\_\_ (year)

1. Client Telephone number			USREOU (Number according to SRNP) Fax number		
Number of current account in national currency, name of the bank, MFO, address of the bank					
Number of current account in foreign currency, name of the bank, MFO, address of the bank					
2. Incoming number			Registration date		
3. Commodity consumer			4. Seller		
5. UCCFEA code	6. Unit of measurement	7. Quantity	8. Cost (US \$ thousand)	9. Cost (in contract currency)	10. Additional name of commodity
11. Country of destination	Code	14. Basic terms of commodity delivery			
12. Country of the seller	Code	15. Contract currency		Code	
13. Country of origin	Code	16. Settlement currency		Code	
17. Customs	Code	18. Nature of agreement		Code	
19. Reason for petition			20. Adjusted with (surname, name, patronymic) Date		
21. Surname, name, patronymic of the client's manager Post Date			22. Agency of the executive that issued the license Surname, name, patronymic Post Signature (Seal) Date		
23. Special terms					

Approved  
by Ministry of Economy of Ukraine  
Order No.302 of September 14, 2007

Registered  
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on September 26, 2007 under No.1101/14368

**Instruction  
on the Completion of a License for the Import of Commodities**

1. The present Instruction sets out the procedure for completing a commodity import license (hereinafter – license) by the Ministry of Economy of Ukraine and the agencies of the executive authorized thereto (hereinafter – licensing agency).
2. The license shall be completed in the Ukrainian language in compliance with the present Instruction.
3. The names of the requisites and their codes shall conform to the Classifications of World Currencies approved by State Statistics Committee of Ukraine Order No.260 of July 8, 2002, the Classification of Customs Agencies and their Structural Unites, Specialized Customs Institutions and Organizations approved by State Customs Service of Ukraine Order No.335 of April 26, 2006, and the Classification of the Nature of Agreements approved by State Customs Service Order No.307 of July 9, 1997 and registered with the Ministry of Justice of Ukraine on September 24, 1997 under No.443/2247.
4. In the license shall be stated the number and date of the letter-petition of the foreign trade business entity.
5. The requisites of the license shall contain the following information:
  - requisite 1 – name of the client-importer (for legal entities), surname, name, patronymic of the client-importer (for natural persons), his location (for legal entities), place of resident (for natural persons), telephone number, fax number, identification code in accordance with the Unified State Register of Enterprises and Organizations of Ukraine (USREOU, for legal entities), identification code in the State Register of Natural Persons (SRNP), if available (for natural persons), number of current account in national currency, name of the bank, MFO and address of the bank, number of current account in foreign currency, name of the bank, MFO and address of the bank;
  - requisite 2 – incoming number and date of registration by the licensing agency of the application for the acquisition of a license;
  - requisite 3 – name of the commodity user (for legal entities), surname, name, patronymic of the commodity user (for natural persons), his location (for legal entities), and place of residence (for natural persons);
  - requisite 4 – name of nonresident who is a partner in accordance with a foreign trade agreement (contract), his location (place of residence);
  - requisite 5 – ten-digital UCCFEA code of imported commodity;
  - requisite 6 – unit of measurement of the imported commodity and its code;

- requisite 7 – quantity of imported commodity in accordance with a foreign trade agreement (contract, annexes, specifications to it) in the units of measurement specified in requisite 6;
- requisite 8 – cost of imported commodity in US \$ thousand;
- requisite 9 – cost of imported commodity in the contract currency;
- requisite 10 – additional name of the imported commodity;
- requisite 11 – country of commodity destination – Ukraine;
- requisite 12 – country where the nonresident-partner is registered in accordance with the foreign trade agreement (contract), and its code;
- requisite 13 – country of origin of the imported commodity, and its code;
- requisite 14 – basic terms of delivery of the imported commodity in accordance with the International Rules of Interpretation of Commercial Terms (INCOTERMS in their effective wording);
- requisite 15 – contract currency and its code;
- requisite 16 – settlement currency and its code;
- requisite 17 – customs where the imported commodities will be cleared, nine-digital code of the customs in accordance with the Classification of Customs Agencies and their Structural Units, Specialized Customs Institutions and Organizations approved by State Customs Service of Ukraine Order No.335 of April 26, 2006 (with amendments);
- requisite 18 – nature of the agreement (deciphering of the code)
- requisite 19 – foreign trade agreement (contract, annexes, specifications to it) with indication of the number and date of conclusion, number and date of adjustment with a corresponding authorized agency of the executive, as well as other documents on the basis of which the license is executed;
- requisite 20 – surname, name and patronymic who signed the adjustment for the import of the commodity, his post, and date of adjustment;
- requisite 21 – surname, name and patronymic of the client's manager who signed the application for the acquisition of the license, his post (for legal entities), surname, name, patronymic of the client (for natural persons), signature, date of signature;
- requisite 22 – name of the licensing agency that signed the license, surname, name and patronymic of the authorized person who signed the license, his post, signature, date of signature, attested by a seal;
- requisite 20 – special terms of import.

**Director,  
Department of Foreign Economic Policy**

**V.Andriashchuk**



**Application  
for the Acquisition of an Import License**

1. Client Telephone number			USREOU (Number according to SRNP) Fax number		
Number of current account in national currency, name of the bank, MFO, address of the bank					
Number of current account in foreign currency, name of the bank, MFO, address of the bank					
2. Commodity user			3. Seller		
4. UCCFEA code	5. Unit of measurement	6. Quantity	7. Cost (US \$ thousand)	8. Cost (in contract currency)	9. Additional name of commodity
10. Country of destination	Code	13. Basic terms of commodity delivery			
11. Country of the seller	Code	14. Contract currency		Code	
12. Country of origin	Code	15. Settlement currency		Code	
16. Customs			17. Nature of agreement		Code
18. Reason for license application					
19. Surname, name, patronymic of the client's manager Post					
(Seal).*		Signature		Date	
20. Special terms					

\* If available

*(Note of translator:*

*USREOU – Unified State Register of Enterprises and Organizations of Ukraine*  
*SRNP – State Register of Natural Persons*  
*UCCFEA – Ukrainian Classification of Commodities for Foreign Economic Activity)*

Approved  
by Ministry of Economy of Ukraine  
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on September 26, 2007 under No.1102/14369

**Instruction  
on the Completion of an Application for the Acquisition  
of a License for the Import of Commodities**

1. The present Instruction sets out the procedure for completing an application for the acquisition of a license for importing commodities by foreign trade business entities (hereinafter – application).
2. The application shall be completed by a foreign trade business entity in the Ukrainian language.
3. The names of the requisites and their codes shall conform to the Classifications of World Currencies approved by State Statistics Committee of Ukraine Order No.260 of July 8, 2002, the Classification of Customs Agencies and their Structural Unites, Specialized Customs Institutions and Organizations approved by State Customs Service of Ukraine Order No.335 of April 26, 2006, and the Classification of the Nature of Agreements approved by State Customs Service Order No.307 of July 9, 1997 and registered with the Ministry of Justice of Ukraine on September 24, 1997 under No.443/2247.
4. The application shall contain the following information:
  - requisite 1 – name (for legal entities), surname, name, patronymic (for natural persons) of the foreign trade business entity who submits the application, his location (for legal entities), place of residence (for natural persons), telephone number, fax number, identification code in accordance with the Unified State Register of Enterprises and Organizations of Ukraine (USREOU, for legal entities), identification code in the State Register of Natural Persons (SRNP), if available (for natural persons), number of current account in national currency, name of the bank, MFO and address of the bank, number of current account in foreign currency, name of the bank, MFO and address of the bank;
  - requisite 2 – name of the commodity user (for legal entities), surname, name, patronymic of the commodity user (for natural persons), his location (for legal entities), and place of residence (for natural persons);
  - requisite 3 – name of nonresident who is a partner in accordance with a foreign trade agreement (contract), his location (place of residence);
  - requisite 4 – ten-digital UCCFEA code of imported commodity;
  - requisite 5 – unit of measurement of the imported commodity and its code;

- requisite 6 – quantity of imported commodity in accordance with a foreign trade agreement (contract, annexes, specifications to it) in the units of measures specified in requisite 6;
- requisite 7 – cost of imported commodity in US \$ thousand;
- requisite 8 – cost of imported commodity in the contract currency;
- requisite 9 – additional name of the imported commodity;
- requisite 10 – country of commodity destination – Ukraine;
- requisite 11 – country where the nonresident-partner is registered in accordance with the foreign trade agreement (contract), and its code;
- requisite 12 – country of origin of the imported commodity, and its code;
- requisite 13 – basic terms of delivery of the imported commodity in accordance with the International Rules of Interpretation of Commercial Terms (INCOTERMS in their effective wording);
- requisite 14 – contract currency and its code
- requisite 15 – settlement currency and its code;
- requisite 16 – customs where the imported commodities will be cleared, nine-digit code of the customs in accordance with the Classification of Customs Agencies and their Structural Units, Specialized Customs Institutions and Organizations approved by State Customs Service of Ukraine Order No.335 of April 26, 2006 (with amendments);
- requisite 17 – nature of the agreement (deciphering of the code)
- requisite 18 – foreign trade agreement (contract, annexes, specifications to it) with indication of the number and date of conclusion, number and date of adjustment with a corresponding authorized agency of the executive, as well as other documents on the basis of which the license is executed;
- requisite 19 – surname, name and patronymic of the client's manager who signed the application for the acquisition of the license, his post (for legal entities), surname, name, patronymic of the client (for natural persons), signature, and date of signature affixed by a seal (if available);
- requisite 20 – special terms of import, e.g. quantity of commodity in additional units of measures, number of current account in foreign currency (if there are several payment currencies), name of the bank, MFO and address of the bank, invoices, etc.

**Director,  
Department of Foreign Economic Policy**

**V.Andriashchuk**