

CABINET OF MINISTERS OF UKRAINE

P O S T A N O V A
on May 27, 1999 N 920
Kyiv

On confirmation of the order of
guarantees and implementation of state control over
Compliance for use in
the stated purpose of goods subject to state
Export Controls

(With changes introduced according to KM
N 93 (93-2003-P) Of 18/01/2003
N 1225 (1225-2003-P) Of 06/08/2003
N 1432 (1432-2004-P) Of 28/10/2004)

Cabinet of Ministers of Ukraine **P o s t o n a l I:**

1. To approve the Regulations on the provision of guarantees and
exercising state control over the implementation of commitments
use claimed for goods subject to state
Export Control (attached).

(Item 2 lost its validity on the basis of Resolution 93 KM N
(93-2003-P) Of 18/01/2003)

Prime Minister of Ukraine V. Pustovoitenko

Ind. 30

APPROVED
Cabinet of Ministers of Ukraine
on May 27, 1999 N 920

SITUATION
on issuing guarantees and implementation of state
monitor the implementation of commitments to use
the stated purpose of goods subject to state
Export Controls

Chapeau

1. This provision specifies the procedure for granting state
guarantees and
Ukrainian guarantees end-users to use
stated purposes of goods imported to Ukraine to be
national export controls, implementation of state control over

implementation of these safeguards and controls the execution of foreign consumers to use their warranty stated in the for goods imported by them from Ukraine.

2. In this Regulation the term "dual use, international transfer of goods, exports, "re-export, import, transit and other values used in, listed in the Law of Ukraine "On state control over international transfers of military and dual - use ([549-15](#)). For the purposes of this Regulation also used this term:

stated goal - the direction of the product according to its appointment, which officially informed the foreign or Ukrainian exporter under foreign entity of Ukraine, or foreign economic activity.
(Item 2 in the wording of the Resolution N CM 1225 ([1225-2003-P](#)) Of [06/08/2003](#))

3. Products covered by this Regulation referred to in the annex to the exercise of state control over international transfers of military goods, approved by the Cabinet of Ministers of Ukraine on November 20, 2003 N 1807 ([1807-2003-P](#)) (Official Gazette Ukraine, in 2003, N 48, art. 2506), and in the Annexes to the Order exercising state control over international transfers of goods dual-use, approved by the Cabinet Ministers of Ukraine of January 28, 2004 N 86 ([86-2004-P](#)) (Official Gazette of Ukraine, in 2004, N 4, pp. 167, N 21, century. 1446).
(Item 3 in the wording of the Resolution N CM 1432 ([1432-2004-P](#)) Of [28/10/2004](#))

4. Goods imported into the territory of Ukraine guarantees for use in the stated purposes, subject to state export controls established in Ukraine.

These goods can not be re-exported from Ukraine or transferred to third countries on other legal grounds without permission Derzheksportkontrolyu their transfer or re-export to third countries.

The transfer of such goods to another end user within Ukraine at the endorsement Derzheksportkontrolyu.

5. In order to guarantee the registration of end-use Imported goods used in Ukraine International Import certificate, certificate of confirmation of delivery, end-user certificate and other documents that contain government guarantees and safeguards for the consumer use of the goods in the declared purposes.

Receiving international import certificates and other documents containing state guarantees

to use goods in the declared purpose

6. International Import Certificate (hereinafter - Import certificate) - Ukraine is a state document that confirms commitment Ukrainian importer to import goods to Ukraine and if the goods are not imported to Ukraine, not send them to another location without permission Derzheksportkontrolyu (Annex 1).

If terms of delivery of goods to Ukraine is drawing up a Ukrainian party guarantees or other government obligations use of imported goods in the declared purposes, such guarantees or obligations may be issued as an import certificate or as a separate document (hereinafter - another document).

The design and delivery of these documents are Derzheksportkontrolem based on statements of Ukrainian importers in If the requirements of filing of such documents to foreign exporter or relevant government agency of the exporter.

Imports of goods not included in the list of goods that imported into the territory of Ukraine for international import certificate or other document is made for permission Derzheksportkontrolyu. (Paragraph 6 amended by paragraph CM Decree N 1432 ([1432-2004-P](#)) Of [28/10/2004](#))

7. For the import certificate or other document Ukrainian importer sends Derzheksportkontrolyu letter brief set treatment goals, which adds:

statement template, (second paragraph of paragraph 7 as amended made according to KM N 1432 ([1432-2004-P](#)) Of [28/10/2004](#))

certified in the prescribed manner a copy foreign trade agreement (contract) on imports and copy of the agreement with the importing end users if the importer is company or organization - the mediator;

certificate copy of the consumer;

copy of a document certifying authority of the importing implementation of international transfers of goods (included in the case of import military goods, but imports of spare parts for repair products for military use);

certified copy of the license to conduct activities goods imported, unless the activities of their subject licensing.

In the case of simultaneous submission to Derzheksportkontrolyu applications import clearance certificate or other document and

permit for the right of the corresponding import applications for import certificate or other document allowed to refer to documents that were added to the application for permit the right to import, instead of filing second copies of these documents.

If on the products that will be imported, Derzheksportkontrolem not done the preliminary examination in export controls and a business entity not in Derzheksportkontroli registered as an importer of such goods to these documents included a certificate from the list of goods that expected to import, with a short summary of purpose and main technical characteristics of each product title. In Whenever a business entity intends to import technology or services, instead of reference attached annotated disclosure of such technologies and services with mandatory indication of their scope, purpose and scope of use. Help seals manager's signature and seal of the respective companies organization and manager's signature and seal of the military representation (if such representation is at the enterprise, organization).

Derzheksportkontrol has the right to request additional applicant from other documents required for adoption of an informed decision.

The documents, made in a foreign language, added them certified translations.

Import certificate or other document issued for one type of product nomenclature for foreign trade activity (hereinafter - HS), regardless of the number of items products, which entered the foreign trade agreement (contract).

8. Consideration of applications submitted for import certificates or other documents made with Derzheksportkontrolem assistance if necessary specialists and other central bodies executive power, enterprises, institutions and organizations (for consultation with their leaders).

Term review this statement may not exceed 30 days from the date of receipt of importing a complete set of documents. In If you have circumstances that prevent the adoption of definite decision on the possibility of import certificate, this term may be extended by the Chairman Derzheksportkontrolyu, but not more than 30 days.

In terms of consideration of statements do not count the time needed for obtaining additional information from the importer or other documents.

Should the Derzheksportkontrolem decision not to issuance of import certificate or other document importer sent a letter of justification for this decision.

Import certificate or other document issued in two copies and signed by the chairman or his Derzheksportkontrolyu deputy.

The first copy of the import certificate or other document seems to represent a foreign importer to exporter.

The second copy of the import certificate or other document remains Derzheksportkontroli.

9. In some cases, when the foreign exporter required conditions for export of goods not included in the lists referred to in paragraph 3 of this Regulation is to receive public guarantees in the form of import certificate or other document implementation of such import certificate or other document is Derzheksportkontrolem.

On the issue of import certificate for products not included in these lists Derzheksportkontrol in three days notify the State Customs Service and shall transmit certified copies issued certificate.

After receiving a message from Derzheksportkontrolyu State Customs Service within three days, takes measures to prevent export from the customs territory of Ukraine goods specified in the copy import certificate, or withdrawal without permission Derzheksportkontrolyu.

After the import of such goods into the territory of Ukraine and implementation of the laws of customs procedures importer required within 10 days after customs clearance of goods State Customs Service to submit documents for certification confirmation of delivery in the manner prescribed by these regulations. (Item 9 in the wording of the Resolution N CM 1225 ([1225-2003-P](#)) Of [06/08/2003](#))

10. Overall economic operators Ukraine foreign trade agreements (contracts) that involve a foreign partner for the implementation of the final inspection use of the goods in the declared purposes, only on the basis of Derzheksportkontrolyu positive conclusion, if the previous Harmonization of the matter the subject of foreign economic activity with the ministry or other central executive body to the management of which he belongs.

11. Import certificate or other document is valid if, when he transferred to the competent state bodies State of the exporter in terms of no more than six months from the date of Derzheksportkontrolem design.

In cases where an international import certificate or other document was handed to the competent public authorities of the state exporter within six months from the date of its issuance Derzheksportkontrolem or used them and returned Ukrainian importers, the latter must return a document to Derzheksportkontrolyu together with a covering letter, which must be stated why it is not.

If you change the external conditions of the agreement (contract) Import certificate or other document to be re-issuance of established procedure. The new application for the issuance of import certificate or other document is added before the original drawn up and issued the import certificate or other document. If objective reasons can not provide original certificate or other document, the importer must be in writing form mentioned these reasons.

Registered import certificate or other document serial number provided by the issuance of import registry certificates and other documents maintained Derzheksportkontrolem.

Receiving confirmation certificate delivery

12. Certificate of confirmation of delivery - is the state document, which confirms that the rates for goods imported into Ukraine and adopted under the export control regime Ukraine (Annex 2).

Certificate of confirmation of delivery is provided only to imported goods to Ukraine, which issued Derzheksportkontrolem Import certificate or other document.

Processing and issuance of certificate of confirmation of delivery SCSU is a statement by the importer.

For confirmation certificate delivery importer within 10 days after customs clearance of goods sent State Customs Service letter brief outlining treatment goals, which adds:

certified copy of the cargo customs declaration, executed the relevant customs authority when importing goods into Ukraine;

certified copy provided Derzheksportkontrolem import certificate or other document;

copy of the payment order for payment of the fee for issuing certificate of confirmation of delivery.

The appeal must be reference to the number and date cargo customs declaration, import certificate or other document, which will be implemented according to design

certificate of confirmation of delivery, as well as information necessary for its construction.

Filed a certificate of delivery confirmation given serial number register by issuing certificates confirmation of delivery, which is SCSU.

13. Registration confirmation certificate delivery SCSU is in 10 days from the date of receipt documents mentioned in paragraph 12 of this Regulation.

Certificate delivery confirmation is issued in three copies and signed by the Chairman of State Customs Service or deputy.

The first copy of delivery verification certificate issued importer for submission to the foreign exporter, the second sent Derzheksportkontrolyu, and the third copy remains in Levels.

14. Customs service in the 5-day period after issuance of a certificate confirmation of delivery notify the customs authorities of Ukraine, the product specified in the certificate imported into the territory of Ukraine and may be taken abroad without the permission Derzheksportkontrolyu. A copy of the message sent to SCSU Derzheksportkontrolyu.

If the certificate of confirmation of delivery for any reason not was used, it be returned to the importer State Customs Service.

In case of loss or destruction of certificate of confirmation of delivery Ukrainian importers may provide a duplicate certificate of the submission to the State Customs Service of the documents mentioned in paragraph 12 this situation.

Registration certificate of the consumer

15. End-user certificate - a document which final consumer indicating the site of the (use) and target end-use goods and guarantees that this product does not will be used for purposes other than specified in the certificate is not will be transferred to another business entity on territory of Ukraine or re-exported without permission Derzheksportkontrolyu and takes other safeguards to imported goods to Ukraine if the required conditions foreign trade agreement (contract) in accordance with countries - exporters of goods (Annex 3).

Registration certificate of the consumer is

end users. End-user certificate seals manager's signature and seal of the respective companies organization.

16. End-user certificate issued in three copies. The first and second sending copies of final importing consumer goods, which transmits the first copy foreign exporter and the second copy - Derzheksportkontrolyu together with the application for issuance of import certificate or other document. The third copy remains in the consumer goods.

Transfer of goods imported to Ukraine from providing government guarantees for their use in the claimed purposes other end-users in
Ukraine

17. Transfer of goods imported to Ukraine from providing government guarantees for their use in the stated purposes other end-users in Ukraine are in the presence of Derzheksportkontrolyu positive conclusion about the possibility of such transfers.

For this conclusion the consumer, who intends to allocate imported goods other end user sends Derzheksportkontrolyu brief letter outlining the purpose of appeal to which adds:

typical application form in triplicate;

proof of acceptance foreign exporter to further transfer of goods;

end-user certificate issued final consumer goods which are transferred for use;

certificate indicating the details of previously issued to these certificate of final consumer goods and import certificate or other document.

In addition to the documents mentioned in this paragraph, Derzheksportkontrol has the right to request additional applicant from other documents required for adoption of an informed decision.

18. Derzheksportkontrolem Consideration of applications submitted for referred to in paragraph 17 of this Regulation conclusions made in if necessary with the assistance of the established order of Representatives other central executive bodies, enterprises, institutions and organizations (in consultation with their leaders).

Term Review application for such a conclusion should not exceed 15 days from the date of the applicant the full set

documents. In the event of circumstances that prevented acceptance unambiguous decision about the possibility of a conclusion processing may be extended by the Chairman Derzheksportkontrolyu, but not more than 30 days.

To consider the application of the term does not count the time needed to obtain additional information from the applicant or other documents.

Should the Derzheksportkontrolem decision not to issue a conclusion on the possibility of transfer of goods to other end consumers in the territory of Ukraine, sent a letter to the applicant Justification decision.

19. New end-user must confirm the fact receipt of goods within a week from the date of receipt of official letter to Derzheksportkontrolyu.

Re-export of goods that were imported into Ukraine to the provision of government guarantees for their use stated in the order

20. Re-export of goods that were imported to Ukraine from providing government guarantees for their use in the claimed purposes, in accordance with established procedure export goods subject to government export control.

Prerequisite for the decision to re-export of such goods is submitted to Derzheksportkontrolyu Ukrainian exporter of formal written approval of foreign their re-exporter.

State control over the implementation of finite consumers in Ukraine safeguards obligations the use of imported goods in stated purpose

21. State control over the performance of consumers in Ukraine safeguards obligations regarding the use of imported goods in the declared order is based on analysis of reports businesses - the end users of actual use of goods, as well as through routine sampling checks the actual use of goods for purposes of consumers who may be authorized officials Derzheksportkontrolyu or relevant Control Commission.

22. Derzheksportkontrol in coordination with other central executive authorities and the SBU defines terms and approves plan the audit of the actual end-use consumer goods that were imported with the provision of public safeguards for their use in the stated purposes and in case need to form an oversight committee, whose composition may

involved representatives Derzhetsportkontrolyu, SSU, State Customs Service,
other central bodies of executive power.

Powers and composition of the Control Commission accept the central authorities, whose representatives invited to participate in testing. Members of the Control Commission Derzhetsportkontrolem issued certificate of implementation appropriate testing.

Information on the authorized officers Derzhetsportkontrolyu or the composition of the control commission and the terms check in writing served Derzhetsportkontrolem heads of enterprises, institutions, organizations that are consumer goods for which a test.

23. Verification is the place of installation (use) of imported goods.

Head of the enterprise, institution or organization - end Users must provide the authorized officials Derzhetsportkontrolyu or appropriate control commission any necessary documents and to facilitate their work.

Enterprise, establishment, organization - the final consumer is be advised of the possibility of such audit by the processing of import certificate.

The results verify the actual use of goods for appointment to the end user Control Commission up report for approval by the head Derzhetsportkontrolyu.

24. Reimbursement for the audit carried out in the prescribed manner and expense within the article state budget, which funded activities Derzhetsportkontrolyu or by enterprises, institutions and organizations in the case when it indicated in the foreign trade agreement (contract).

The organization checks with foreign partners of consumers of goods in Ukraine,
were imported to the provision of state guarantees for their use in the stated purposes

25. Check with the participation of foreign exporters and / or competent public authorities of the state exporter actual use of consumers goods in Ukraine, were imported to the provision of government guarantees for their use stated purposes can be made only in cases provided economic agreements (contracts), or when it is caused by international treaties, to which a State is a foreign exporter and the Ukraine.

Check as appropriate should be carried out by

the Laws of Ukraine on state secrets.

26. Notice of intention referred to in paragraph 25
The provisions of this inspection is filed in a foreign partner
prescribed manner through diplomatic channels.

MFA provides the messages and Derzheksportkontrolyu
other central executive authorities to the management
which belongs to the company, institution, organization - the importer.

Such testing shall be as provided in paragraphs
22 and 23 of the Regulations, with the participation of foreign
exporters and / or competent public authorities of the state
exporter.

Responsibility for violation of its obligations
Ukrainian importers and end users of products
were imported to Ukraine from the provision of public
safeguards for their use in the stated purposes

27. In case of detection by the Ukrainian importer or
end-user violations of established procedure
international transfers of goods for which it was granted state
guarantee their use in the stated purposes, namely, if
Products:

were imported to Ukraine and Ukrainian orders
importer without permission Derzheksportkontrolyu were directed to another
destination than laid down in international import
certificate;

used in other than the stated purpose;

were transferred to another end user in Ukraine
or re-exported without a positive conclusion or permission
Derzheksportkontrolyu,

as well as other violations of export control requirements
such importer or end user entered
Derzheksportkontrolem to the list of violators of export rules
control. Furthermore, it is civil liability
according to foreign trade agreements (contracts).

Organization of foreign end-use checks
consumer goods that were imported from Ukraine and
providing government guarantees for their use in
stated purpose

28. Conduct inspections of public authorities of Ukraine
use of foreign consumers of products that were
Ukraine imported from foreign economic
the provision of government guarantees for their use in
stated purposes, the territory of foreign importers may
implemented only if the implementation of such inspections

provided economic agreements (contracts), according which goods are imported from Ukraine or in the case where due to international treaties to which the state foreign importer and Ukraine. The reason for such inspections are appropriate written guarantees authorized by the state of state of foreign importer provided in connection with imports from Ukraine.

29. Checks referred to in paragraph 28 of the Regulations, held at the place of installation (use) imported from Ukraine foreign economic activity goods Derzheksportkontrolyu authorized officials, embassy Ukraine in the State or the Commission, whose composition may include representatives from the company or organization that is an exporter these goods, the MFA or the Embassy of Ukraine in the State, SSU, State Customs Service and Derzheksportkontrolyu.

Notification of intention to audit the relevant state of state of foreign importer shall Derzheksportkontrolem through the MFA. Issues related to the check (check the terms agreement with a foreign importer, visas, etc.) are coordinated through diplomatic channels.

30. Reimbursement for the audit carried out in the prescribed manner by the articles and within the state budget, which funded the activities of the Foreign Ministry, Security Service, State Customs Service and Derzheksportkontrolyu, or by the company or organization -- Ukrainian exporter in the case when it stated in foreign trade agreement (contract). Ukrainian exporter should be warned about the likelihood of such check during the processing of permits for the export or withdrawal of the possibility of negotiations related to signing foreign trade agreements (contracts) on the implementation international transfer of goods.

31. As a result of the use of foreign end consumer goods that were imported from Ukraine to foreign business entity with the provision of state guarantees for their use in the stated purposes, officials Derzheksportkontrolyu, Embassy of Ukraine in the State or commission is an act that is transmitted to the Derzheksportkontrolyu.

In case of violation of obligations assumed іноземними імпортерами або кінцевими споживачами, МЗС за поданням Держекспортконтролю дипломатичними каналами повідомляє компетентні державні органи держави іноземного імпортера про виявлені порушення. Іноземний імпортер та/або кінцевий споживач товару, що порушили прийняті на себе зобов'язання, заносяться Держекспортконтролем до списку іноземних суб'єктів господарської діяльності, з якими забороняються або обмежуються ділові стосунки щодо товарів, які підлягають державному експортному контролю.

Проведення суб'єктами зовнішньоекономічної діяльності перевірок доставки та кінцевого використання товарів, які були експортовані з України

32. Суб'єкт зовнішньоекономічної діяльності - експортер товарів, що підлягають державному експортному контролю (далі - експортер), повинен вживати заходів для перевірки доставки та кінцевого використання експортованих товарів і про її результати інформувати Держекспортконтроль.

Експортер повинен сприяти уповноваженим державним органам України у проведенні ними зазначеної перевірки, а також у разі потреби залучати ці органи до участі у перевірках доставки товарів до кінцевого споживача та/або використання цим споживачем експортованих товарів у заявлених цілях.

У разі отримання будь-якої інформації про порушення умов доставки товарів до кінцевого споживача або використання цих товарів усупереч заявленим цілям або іншим споживачем експортер зобов'язаний негайно повідомити про це Держекспортконтроль і СБУ.

33. Контроль за доставкою товарів до кінцевого споживача здійснюється експортером шляхом отримання від іноземного суб'єкта господарської діяльності та надання Держекспортконтролю сертифіката підтвердження доставки або іншого документа, оформленого або підтвердженого уповноваженим на це органом країни призначення, який містить відповідні підтвердження про доставку товарів на територію країни призначення та їх одержання кінцевим споживачем (далі - документ про підтвердження доставки).

В окремих випадках залежно від категорії товарів, країни призначення, кінцевого споживача тощо за рішенням Держекспортконтролю контроль за доставкою товарів до кінцевого споживача може здійснюватись шляхом супроводження товарів представником (представниками) експортера під час їх транспортування.

Про рішення щодо необхідності здійснення контролю за доставкою товарів шляхом супроводження під час їх транспортування Держекспортконтроль повідомляє суб'єкта зовнішньоекономічної діяльності під час прийняття рішення про надання висновку щодо можливості проведення переговорів, пов'язаних з укладенням зовнішньоекономічних договорів (контрактів) про експорт товарів, або про надання дозволу на експорт товарів.

Перелік осіб, уповноважених експортером супроводжувати товари, та їх повноваження визначаються експортером та підтверджуються відповідними документами. Особи, уповноважені експортером супроводжувати товари, мають бути штатними працівниками експортера.

34. Гарантії іноземного суб'єкта господарської діяльності - кінцевого споживача щодо надання експортеру документа про

підтвердження доставки та/або про можливість здійснення експортером перевірок використання у заявлених цілях імпортованих цим споживачем товарів, та/або про можливість здійснення контролю за доставкою товарів до кінцевого споживача шляхом їх супроводження експортером під час транспортування за рекомендацією Держекспортконтролю повинні бути визначені у зовнішньоекономічному договорі (контракті) або в іншому документі, в якому є посилання на такий договір (контракт).

У разі коли в експорті товарів бере участь іноземний суб'єкт господарської діяльності - посередник, у зовнішньоекономічному договорі (контракті), укладеному з таким посередником, за рекомендацією Держекспортконтролю повинні бути визначені його зобов'язання про отримання від кінцевого споживача та надання експортеру документа про підтвердження доставки та/або про можливість, проведення експортером перевірок використання у заявлених цілях імпортованих цим споживачем товарів, та/або про можливість здійснення контролю за доставкою товарів до кінцевого споживача шляхом їх супроводження експортером під час транспортування, а також зобов'язання цього посередника про надання експортеру відповідного документа, в якому кінцевий споживач гарантуватиме надання документа про підтвердження доставки та/або про можливість проведення перевірок чи здійснення контролю за доставкою товарів.

35. Експортер зобов'язаний подати Держекспортконтролю документи про підтвердження доставки товарів військового призначення. Гарантії експортера щодо надання документів про підтвердження доставки товарів військового призначення та терміни надання цих документів повинні бути викладені у листі-зверненні, який експортер подає Держекспортконтролю разом із заявою про надання відповідного дозволу на право експорту товарів.

В окремих випадках за рішенням Держекспортконтролю такі гарантії надаються експортером стосовно доставки товарів подвійного використання. Необхідність надання таких гарантій визначається Держекспортконтролем під час прийняття рішення про надання висновку щодо можливості проведення переговорів, пов'язаних з укладанням зовнішньоекономічних договорів (контрактів) про експорт товарів подвійного використання, або про надання відповідного дозволу на експорт таких товарів.

Зазначені у цьому пункті документи про підтвердження доставки товарів не подаються до Держекспортконтролю у разі здійснення міжнародних передач на виконання суб'єктами зовнішньоекономічної діяльності робіт, пов'язаних з виконанням міжнародних договорів про військово-технічне співробітництво, виробничу або науково-технічну кооперацію. (Пункт 35 доповнено абзацом згідно з Постановою КМ N 1432 ([1432-2004-Р](#)) Of [28/10/2004](#))

In cases where the decision Derzheksportkontrolyu exporter must ensure maintenance of goods during their transportation, permit for export may be granted

Derzheksportkontrolem only after receiving from the exporter document in which the exporter assumes the obligation to providing support products.

36. If necessary, a written request to the exporter support products and monitoring their delivery to the consumer may be involved representatives of the Security Service, Derzheksportkontrolyu, State Customs Service and other central executive.

The powers of the central executive authorities involved to support the implementation of goods and control over their delivery to the consumer, defined heads of these bodies or their deputies and confirmed relevant documents.

Reimbursement of expenses related to enrollment support products and monitoring their delivery to end user of the central executive power and processing the required visas and travel documents by the exporter in the prescribed manner.

37. To monitor the delivery of goods to the final consumer and / or check their use in the stated purposes may involve representatives of foreign diplomatic missions Ukraine in the States - the recipient of goods (with the consent of the heads of these institutions).

To ensure the participation of representatives of diplomatic missions in monitoring the delivery of goods to the consumer and / or check their use in the stated purposes exporter must apply in advance through Derzheksportkontrol to the MFA with request the involvement of the representatives to participate in monitoring or inspections. The application exporter shall submit two copies of the necessary information about export order, the way of transportation, carrier the delivery of goods and the consumer. Derzheksportkontrol after receipt of such statement sends it together one copy information to the Foreign Ministry for a decision.

38. After delivery of goods to the consumer exporter Derzheksportkontrolyu document provides confirmation of delivery goods with reference to the appropriate foreign economic contract (contract) under which goods exported from Ukraine, granted or confirmed by the authorized state body of the country of destination. If such a document in foreign language, it is added translation certified in the prescribed manner.

A document confirming delivery of goods must be following information:

the delivery of goods;

name of the consumer and its confirmation
receipt of goods under previously granted a certificate
the consumer and the details of this certificate;

nomenclature and the number of goods;

name and position of the person issuing the document;

mark authorized state body, indicating it
name and surname, name and title of person
confirmed the document;

date of the document and its number.

39. In cases where control over the delivery of goods to the final consumers conducted by transportation support, together the document confirming the delivery of goods the exporter shall submit Derzheksportkontrolyu report on the implementation of such control, which notes:

initials and last names, positions of persons who accompanied the goods
and monitored their delivery;

nomenclature of goods and its correspondence
range specified in the agreement (contract) and Certificate
the consumer;

method of delivery, type and registration number
vehicle, its owner (country, company, person)
company and the customer carrier transportation;

announced and actually implemented the route of delivery of goods
indicating intermediate landings / stops and dates for their
implementation,
partial unloading of goods exported from Ukraine, and who
gave such an order (the person, firm, country);

date and destination of goods (city, airport or sea
port, country), representatives of the consumer and public
agencies that received the goods and issued a document confirming
delivery of goods;

other information which confirms the delivery of goods.

40. The exporter must in the 45-day period after the implementation export file to a document on Derzheksportkontrolyu confirmation of delivery of goods. This period may be extended Derzheksportkontrolem in the case of an exporter of Appeals explanation of the reasons of delay of such a document and proposal for the establishment of a new term of this document.

(Second paragraph of paragraph 40 is excluded on the basis of Resolution
1432 KM N
(1432-2004-P) Of 28/10/2004)

(Regulations amended section according to KM N 1225
(1225-2003-P) Of 06/08/2003)

Annex 1
to the Regulations on the provision of guarantees

and

exercising state control over performance
commitment to use the declared
for goods subject to state
Export Controls

```
-----
| UKRAINE | International Import |
| Ukraine | Certificate |
| | |
| Public Service Export | International Import |
| Control | Certificate |
| | |
| State Service on Export | N _____ |
| Control | |
|-----+-----|
| 1. Importer, address | 2. Exporter, address |
| | |
| Importer's full name | Exporter's full name |
| And address | and address |
|-----+-----|
| |
| 3. HS code, name and full product description |
| |
| N. of customs tariff, name and full description of the |
| Goods |
| |
|-----+-----+-----+-----|
| 4. Number | 5. Unit | 6. Cost | 7. Currency |
| Products | measuring | product | payment |
| | | | |
| Quantity | Unit | Value | Currency of |
| | | | Payment |
| | | | |
|-----+-----+-----+-----|
| | | | |
|-----+-----|
| 8. This confirms that the importer has the obligation |
| Import to Ukraine of the goods referred to in paragraph 3, and in |
| Where goods are not imported to Ukraine, not |
| Send them elsewhere, without the permission of Public Service |
| Export control in Ukraine |
```

| |
 | It's hereby certified that importer has undertaken to |
 | Import into Ukraine the goods stated in item 3 or, if |
 | They are not imported into Ukraine, not to divert them to |
 | Another destination without a permission of the State |
 | Service on Export Control of Ukraine |
 | |
 | 9. This document will expire if, when he was not |
 | Given by the competent government authorities of the state exporter |
 | Within six months from the date of its registration |
 | |
 | This document ceases to be valid unless presented to the |
 | Competent national authorities of exporter's state within |
 | Six months from its date of issue |
 | |
 | _____ |
 | Post a signature name |
 | Title signature name |
 | |
 | _____ |
 | Date stamp |
 | Date stamp |

 Annex 2
 to the Regulations on the provision of guarantees
 and implementation of state control over
 Compliance for use
 declared goods in order to be
 national export control

UKRAINE	confirmation certificate
Ukraine	Delivery
State Customs Service	Delivery Verification
	Certificate
State Customs Service	
-----+-----	
1. Importer, address	2. Exporter, address
Importer's full name and	Exporter's full name and
Address	address
-----+-----	
3. International Import	4. Number and date of the Customs
Certificate	Declaration
International Import	Number and date of the
Certificate	Customs Declaration issue

N _____			
From (of) _____			

5. TN FEA Code, name and full product description			
N. of customs tariff, name and full description			
Of the goods			

6. Number of	7. Unit	8. Cost of	9. Currency
Products	measuring	product	payment
Quantity	Unit	Value	Currency of
	Payment		
-----+-----+-----+-----			

10. This confirms that the goods specified in paragraph 5, was			
Imported to Ukraine and adopted during the regime of export			
Control of Ukraine			
This is to certify, that the goods stated in item 5, has			
Been imported to Ukraine and accepted under the export			
Control regime of Ukraine			

Post a signature name			
Title signature name			

Date stamp			
Date stamp			

Annex 3
to the Regulations on the provision of guarantees

and

exercising state control over performance
commitment to use the declared
for goods subject to state
Export Controls

End-CONSUMER	
End-user certificate	
N _____	

| |
| 1. Consumers, address |
| User's full name and address |
| |
| 2. Exporter, address |
| Exporter's full name and address |
| |
| 3. Name and full product description |
| Name and full description of the goods |
| |
| 4. Place of installation (use) of goods |
| Place of installation (use) of the goods |
| |
| 5. The purpose of end-use product |
| The purpose of End-use of the goods |
| |
| 6. Consumer goods this guarantees that the goods specified in |
| Paragraph 3 shall not be used for any purpose other than |
| Referred to in paragraph 5, and will not be transferred to another
entity |
| Business in Ukraine or |
| Re-exported without the permission of the State Service of Export |
| Control of Ukraine |
| |
| The user of the goods warrants by this, that the goods |
| Stated in item 3, will not be used other, than for |
| Purposes stated in item 5, and will not be transferred to |
| Any other subject of business activity in the territory |
| Of Ukraine or reexported without a permission of the |
| State Service on Export Control of Ukraine |
| |
| 7. Other guarantees and commitments stipulated conditions |
| External conditions |
| |
| Other guaranties and obligations stipulated by conditions |
| Of the external economic contract |
| |
| _____ |
| Post a signature name |
| Title signature name |
| |
| _____ |
| Date stamp |
| Date stamp |

End-user certificate issued on the letterhead
enterprises, institutions, organizations, consumer