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Dear readers!

Here is the new issue of the Information Bulletin "Trade Facilitation in Ukraine Monitoring," a product of the Institute for Economic Research and Policy Consulting.

We strive to provide you with the latest and most up-to-date information on the state of customs reform implementation and the implementation of measures to facilitate international trade in Ukraine. Therefore, send your opinion, feedback, and wishes regarding communication links and methods of providing information to: customs@ier.kyiv.ua

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Content

Regulatory legal acts that entered into force 4

The Government approved the Procedure and Standard Form for Concluding a Contract for Service in Customs Authorities..... 4

The list of positions in customs and tax authorities in which knowledge of English will be mandatory has been approved..... 4

The procedure for the import of medicines into the territory of Ukraine has been approved..... 5

The Government has amended the procedure for approving minimum allowable export prices for certain types of goods..... 6

The Government has added exceptions to the customs regime for processing goods outside the customs territory of Ukraine..... 7

Draft laws 8

It is proposed to restore benefits for the import of vehicles into Ukraine by combatants..... 8

Changes to the procedure for the work of the customs authority are proposed 9

News 10

The Parliament has created a temporary investigative commission to investigate the facts of possible violations of the law by foreign economic entities related to the non-return of foreign exchange earnings to Ukraine..... 10

The first scanning systems for inspecting railway cars and containers will appear in Ukraine..... 10

The Government approved the Procedure and Standard Form for Concluding a Contract for Service in Customs Authorities

Resolution of the Cabinet of Ministers of Ukraine No. 238 of March 4, 2025 "On Approval of the Procedure for Concluding a Contract for Service in Customs Authorities and the Standard Form of a Contract for Service in Customs Authorities"

The Government approved the Procedure for concluding a contract for service in customs authorities and the Standard Form of a contract for service in customs authorities.

The Procedure defines the content, procedure for concluding, amending and terminating (terminating) a contract for service in customs authorities (hereinafter referred to as the contract) as an employment contract concluded for a period of up to three years between the State Customs Service or its territorial body, and a person who is hired to serve in the customs authority for the position of civil service of category "B" or "C".

The purpose of concluding a contract is to effectively perform the tasks assigned to civil servants in customs authorities. The conclusion of the contract is carried out in compliance with the principles of legality, efficiency, transparency and integrity.

When concluding a contract, it is not allowed to narrow the scope of a person's rights determined by the Customs Code of Ukraine, the legislation on civil service and labor legislation in terms of relations not regulated by the Law of Ukraine "On Civil Service".

Contracts for the service of a person in the apparatus of the State Customs Service shall be concluded by the Head of the State Customs Service, and in the territorial bodies of the State Customs Service - by the heads of the relevant territorial bodies.

According to the contract, a person undertakes to perform tasks, and the customs authority undertakes to pay him/her wages in accordance with the provisions of the Customs Code of Ukraine.

The tasks provided for in the contract are determined within the powers established by the job description.

Tasks and key performance indicators (hereinafter referred to as key indicators) should reflect the final result, the achievement of which is aimed at the activities of a person serving in the customs authority. Key indicators should be measured in quantitative and/or qualitative terms.

Source: https://surl.li/rpzslb

The list of positions in customs and tax authorities in which knowledge of English will be mandatory has been approved

Resolution of the Cabinet of Ministers of Ukraine No. 266 of March 7, 2025 "On Approval of the Lists of Positions in the Tax and Customs Authorities, Candidates for Which Are Required to Speak English"

The Resolution was adopted in pursuance of the Law of Ukraine "On the Use of the English Language in Ukraine". The document approves the lists of positions in tax and customs authorities, for which candidates are required to speak English.

Such positions, in particular in customs authorities, include senior positions in the central office of the State Customs Service. These are the Head, First Deputy Head, Deputy Head, Deputy Head for Digital Develop-

ment, Digital Transformations and Digitalization (CDTO) of the State Customs Service. Such positions also include senior positions of middle and lower levels, from directors of departments to heads of departments, departments and independent structural units of the central office of customs, and in addition, the position of the chief state inspector.

A similar requirement will apply to the territorial bodies of the State Customs Service. Starting from the head, first deputy head/deputy head of customs, and to the heads of structural divisions of territorial bodies.

Such positions also include the positions of chief state inspectors, senior state inspectors of customs clearance departments of customs posts at checkpoints (control points) across the state border of Ukraine.

The resolution will enter into force 4 years after the termination or cancellation of martial law in Ukraine.

Source: https://surl.li/bhjbed

The procedure for the import of medicines into the territory of Ukraine has been approved

Resolution of the Cabinet of Ministers of Ukraine No. 287 of March 14, 2025 "On Approval of the Procedure for the Import of Medicines into the Territory of Ukraine"

The Government has adopted a procedure for the import of medicines into the territory of Ukraine. This document was developed in accordance with the Law of Ukraine "On Medicines", and it will enter into force from the date of enactment of this law, i.e. three months from the date of termination or cancellation of martial law in Ukraine.

The document defines the rules for the import of medicines by importers, parallel importers and distributors. However, it does not apply to:

- preparations containing human or animal cells;
- investigational drugs and those used in emergency cases (compassionate use);
- unregistered medicines (except for those imported by parallel importers).

Who and how can import medicines.

- Importers can supply medicines from any country except the EU and the countries of the European Free Trade Association.

Parallel importers and distributors are only allowed to import medicines from the EU and the European Free Trade Association.

New quality control requirements.

- Each batch of medicines must be accompanied by a manufacturer's certificate that meets international

standards.

- Importers are obliged to ensure laboratory quality control and compliance with the requirements of good manufacturing practice.
- Distributors are responsible for checking the quality of medicines before they go on sale.

If there are minor deviations in the labeling or instructions for the drug that do not threaten health, the responsible person informs the regulatory authorities about the measures taken to correct them.

The new procedure is aimed at ensuring the safety and quality of medicines entering the Ukrainian market. It also contributes to the harmonization of Ukrainian legislation with European standards and makes the import procedure more transparent.

Source: https://surl.li/fcghrj

The Government has amended the procedure for approving minimum allowable export prices for certain types of goods

Resolution of the Cabinet of Ministers of Ukraine No. 331 of March 21, 2025 "On Amendments to the Procedure for Approving Minimum Permissible Export Prices for Certain Types of Goods"

The Government has amended the Procedure for Approving Minimum Permissible Export Prices for Certain Types of Goods.

It should be reminded that according to this Procedure, the Ministry of Agrarian Policy must set the minimum allowable export prices for certain types of goods classified according to the relevant codes according to the Ukrainian Classification of Foreign Economic Activity (honey, grains, certain plant products, nuts, soybeans, rapeseed, sunflower seeds, oil, cake, etc.). In particular, it is established that the minimum allowable export price for a certain type of goods cannot be less than the minimum price for a certain type of goods under such a condition of deliveries in the previous month.

The Government has made the following main changes

1. To the methodology for calculating minimum export prices. In particular, the calculation is based on anonymized information of the State Customs Service on export operations for the previous month, taking into account the terms of delivery and applying a 10% discount.

Exceptions to this rule apply:

- goods declared on the basis of forward contracts;
- goods belonging to certain subcategories of the Ukrainian Classification of Foreign Economic Activity (for example, seeds of wheat, rye, barley, etc.), which are exported outside the customs territory of Ukraine under the export regime.

2. The deadlines for approving the minimum allowable export prices are currently approved by the tenth day of each month (previously — by the fifth day).

3. Annexes have been updated: Annexes 1 and 2 to the Procedure, which are set out in a new edition, which clarifies the terms of supply to determine the minimum allowable export prices for specific goods.

These changes are aimed at improving the mechanism for setting minimum export prices, in particular by taking into account current market data and the specifics of individual product categories.

Source: https://surl.li/zrhjsd

The Government has added exceptions to the customs regime for processing goods outside the customs territory of Ukraine

Resolution of the Cabinet of Ministers of Ukraine No. 324 of March 21, 2025 "On Amendments to the Resolution of the Cabinet of Ministers of Ukraine No. 879 of December 4, 2013"

The Government amended its own resolution of December 4, 2013. № 879 "Some Issuesof Processing of Goods Outside the Customs Territory of Ukraine and Amendments to the Resolution of the Cabinet of Ministers of Ukraine No. 461 of May 21, 2012". The essence of these amendments is that a new exception is established from the general rule on the mandatory return to Ukraine of processed products and residues after their processing outside Ukraine. This exception applies to operations for the processing of precious metals and waste precious metals, carried out by the National Bank of Ukraine (NBU).

According to the current regulations, goods processed abroad must be returned back to Ukraine. The amendments make an exception for precious metals owned by the NBU: such a return becomes optional. This allows the NBU to manage such resources more freely, for example, sell or store them outside the country.

It is worth mentioning other existing exceptions to the general rule on the return to Ukraine of processed products and residues after their processing outside the country: destruction or disposal of processing waste outside Ukraine, loss of goods in the process of processing (natural losses), processing of goods with subsequent sale outside Ukraine (in some cases, the sale of processed products abroad may be allowed, if it is provided for by law or special permission of state authorities); goods that have been processed for the needs of international organizations or humanitarian missions, special exceptions provided for by international agreements.

At the same time, these changes carry a number of risks, in particular:

- possible loss of control over precious metals by the state;
- corruption risks and abuses;
- reduction of strategic reserves of precious metals;
- negative impact on customs revenues.

As a result, these changes allow the NBU to operate precious metals more flexibly, without necessarily returning them to Ukraine after processing, which may be related to the financial or technical needs of the NBU, for example, with the sale or exchange of precious metals on the international market. But this also carries the above risks.

Source: https://surl.li/uscgct

It is proposed to restore benefits for the import of vehicles into Ukraine by combatants

Draft Law of Ukraine Register. No. 13058 of March 03, 2025 "On Amendments to the Customs Code of Ukraine on Zero Customs Clearance of Vehicles for Combatants Injured as a Result of Participation in Measures to Repel and Deter Military Aggression against Ukraine"

Registration date: March 3, 2025

Initiator: People's Deputy of Ukraine

The main task of the draft law is to introduce preferential customs clearance for vehicles for combatants who were injured as a result of participating in measures to repel and deter military aggression against Ukraine.

In particular, it is envisaged to introduce a zero rate of import duty on vehicles for combatants who were injured as a result of participation in measures to repel and deter military aggression against Ukraine by making appropriate amendments to the Customs Code of Ukraine. Related to this draft law is the draft Law "On Amendments to the Tax Code of Ukraine on Zero Customs Clearance of Vehicles for Combatants Injured as a Result of Participation in Measures to Repel and Deter Military Aggression against Ukraine."

It is proposed to exempt from payment of import duties: cars, bodies for them, trailers and semi-trailers, motorcycles, vehicles intended for the transportation of 10 people or more, vehicles for the transportation of goods imported into the customs territory of Ukraine for free circulation by citizens from among the persons who have the status of a person with disabilities as a result of the war, as well as who are participants in hostilities, who were injured as a result of participating in measures to ensure national security and defense, repel and deter military aggression against Ukraine. Persons of the relevant categories (or an officially authorized person in the interests of the relevant citizen) can bring one vehicle into Ukraine. Also, under these conditions, one vehicle can be brought in by an individual who has officially handed over his own vehicle to a military unit participating in measures to repel and deter military aggression against Ukraine.

According to the initiator, the adoption of this draft law will restore justice for combatants who could not take advantage of the preferential customs clearance of imported vehicles introduced and then abolished in 2022.

Sources: https://surl.li/efxnsg

https://surl.li/mnzfst

Changes to the procedure for the work of the customs authority are proposed

Draft Order of the Ministry of Finance of Ukraine "On Approval of Amendments to the Procedure for the Work of the Customs Authority"

Registration date: March 7, 2025

Initiator: Ministry of Finance of Ukraine

The Order proposes to approve the Amendments to the Procedure for the Work of the Customs Authority, approved by the Order of the Ministry of Finance of Ukraine No. 627 dated May 30, 2012.

The Order was developed in order to approximate national legislation to EU legislation and ensure the possibility of placing goods for temporary storage from the date of entry into force of the Law of Ukraine of August 22, 2024 3926-IX "On Amendments to the Customs Code of Ukraine on the Implementation of Certain Provisions of the Customs Code". It is necessary to establish at the level of by-laws the form of the declaration of temporary storage and the requirements for the data it should contain. If approved, these changes will enter into force simultaneously with the entry into force of this Law.

The draft act proposes to amend the Procedure regarding:

- expansion of the list of premises and other storage places that can be defined as warehouses of customs authorities;
- determination that goods that, due to their properties and/or bulkiness, cannot be stored in the customs warehouse, by the decision of the head of the customs authority or his deputy, may be left for storage at the place of their discovery/ stay or transferred for storage to enterprises, in the warehouses of which the necessary conditions for proper storage of such goods have been created;
- clarification of the list of goods that are subject to mandatory transfer to the warehouse of the customs authority for storage, as well as goods that can be stored in the warehouses of the customs authorities under certain conditions or circumstances;
- determination that the terms of storage of goods in the warehouse of the customs authority are not established in relation to goods that perishable or have a limited shelf life, as well as goods, the costs of ensuring special storage conditions of which exceed their value;
- bringing the provisions of the Procedure in line with the new terminology defined by the Customs Code.

Source: https://surl.li/mkgmgr

The Parliament has created a temporary investigative commission to investigate the facts of possible violations of the law by foreign economic entities related to the non-return of foreign exchange earnings to Ukraine

Resolution of the Verkhovna Rada of Ukraine No.4302 of March 12, 2025 "On the Establishment of the Temporary Investigative Commission of the Verkhovna Rada of Ukraine on the Investigation of the Facts of Possible Violations of the Legislation by Foreign Economic Entities Related to the Non-Return of Foreign Exchange Earnings to Ukraine"

The Parliament has established a Temporary Investigative Commission to investigate the facts of possible violations of the law by foreign economic entities (FEA) related to the non-return of foreign exchange earnings to Ukraine.

The main tasks of the Temporary Investigative Commission are:

1) investigation of the facts of possible violations of the legislation by foreign economic entities in the implementation of foreign economic transactions, in particular, non-return to Ukraine of foreign exchange earnings from operations on the export of goods, illegal withdrawal of currency values outside Ukraine;

2) establishing the circle of persons who may be involved in the possible organization and commission of violations of the law by subjects of foreign economic activity in the implementation of foreign economic transactions, including the establishment of actions or inaction of officials of state bodies that led and/or created opportunities for committing such offenses;

3) establishing the damage caused to the state as a result of violations of the law by foreign economic activity entities in the implementation of foreign economic transactions, developing amendments to the legislation aimed at preventing such violations.

Marian Zablotskyi was elected Chairman of the Temporary Investigative Commission.

The term of the commission is one year from the date of its formation. Not later than within six months from the date of its formation, it is expected to hear the report of the commission on the work performed.

Source: https://surl.li/pnqxcy

The first scanning systems for inspecting railway cars and containers will appear in Ukraine

A significant share of exports of Ukrainian goods is carried out by sea and rail modes of transport.

This requires the use of more advanced means of customs control, which would ensure the speed of customs procedures and the effectiveness of detecting possible violations.

Such means are modern scanning systems for inspecting railway rolling stock. They are designed for

non-intrusive control, i.e. they allow, without additional interventions, to check the compliance of the contents of wagons with what is declared in the documents, and to effectively identify potential risks associated with smuggling, including tobacco products, narcotic drugs and other prohibited substances.

By the end of 2025, the first railway scanners will appear in Ukraine to monitor trains arriving and departing from the Mostyska-2 and Yagodyn railway stations on the border with Poland. In addition, coordination is underway on the supply of stationary scanning systems by international partners to inspect railway cars at checkpoints on the border with Slovakia and Romania. The scanning process will be fully automated with round-the-clock operation and the possibility of bidirectional scanning. This was stated by the head of the State Customs Service S. Zvyagintsev.

Thanks to the high detail of the images, customs officers will be able to recognize even small hidden elements in the structures of wagons, for example, in the floor or in the walls. The scanners meet the highest standards in terms of penetration depth, detail, and image quality, allowing materials to be identified by their structure. They are also equipped with special components and software for the automated selection of cars suitable for scanning to make it impossible to scan passenger cars and locomotives.

Source: https://surl.li/qtrpuk

"Trade Facilitation Monitoring in Ukraine" is a continuation of the issues of the Monthly Monitoring of Trade Facilitation in Ukraine, which has been prepared by the Institute for Economic Research and Policy Consulting since 2015 within the framework of the Trade Facilitation Dialogue project, with the financial support of the European Union and co-financing of the International Renaissance Foundation, as well as the project "Support to the Civil Society Initiative "For Fair and Transparent Customs", which was implemented with the support of the European Union, the International Renaissance Foundation and the ATLAS Network.

The proposed newsletter is a continuation of the previous ones and is published within the framework of the activities of the Institute for Economic Research and Policy Consulting. The publication consists of three parts (if relevant materials are available):

· Regulations that have entered into force
· Draft regulations
· news.

We understand that small and medium-sized businesses do not have enough time to analyze new legislation or possible regulatory innovations. Also, a significant number of such acts are difficult for an average person to understand. "Monitoring of Trade Facilitation in Ukraine" is designed to draw attention to interesting events, innovations of Ukrainian legislation or planned changes related to the field of trade facilitation, in particular international trade, customs and customs issues, and can directly affect foreign economic entities. Also, in these publications, we will try to analyze draft regulations on this topic.

The Institute for Economic Research and Policy Consulting (IER) is an internationally recognized independent Ukrainian think tank founded in 1999.

The IER is engaged in the analysis of problems of economic development, international trade and business climate (in particular in the SME sector), participates in the development of policy documents at the national and regional levels.

The IER regularly issues its own macroeconomic forecast for Ukraine and participates in the development of the consensus forecast of the Ministry of Economic Development and Trade of Ukraine.

The IER team of sociologists conducts regular surveys of enterprises and experts in order to assess the business climate and expectations of Ukrainian business. IER successfully combines its analytical activities with advocacy for change and participation in the public life of Ukraine. The IER cooperates with central and local authorities, domestic and foreign think tanks, and civil society organizations. The work of the IER is financed by grants, charitable contributions and technical assistance funds.

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