

**CUSTOMS CODE OF
THE REPUBLIC OF ARMENIA**

(Adopted on July 6, 2000)

Article 128. Declaration of Goods and Means of Transportation

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When declaring Armenian or foreign cash currency and (or) bearer securities, information shall be included also on the origin of their acquisition. Declaration of bearer securities shall be made according to the rules established by the Central Bank and agreed with the body authorized by the Republic of Armenia Government.

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Article 133. Documents and Information to be Provided for the Customs Affairs

1. All documents and information required for the implementation of customs affairs shall be presented to the Customs Authorities at the time of declaration.
2. The Customs Authorities shall be entitled to request information only subject to declaration and documents related to the specific case of transportation of goods that allow correction of the information.
3. Besides the information and documents mentioned in the paragraph 2 of the present article, Customs bodies have the right to demand other information and documents in cases defined by the present Code and other legal acts.

Article 134. Acceptance of the Customs Declaration

1. The Customs Authority shall accept the presented customs declaration.
2. Before accepting the customs declaration the customs official shall:
 - a. Verify the right implementation of the procedure established for filling in the customs declaration form;
 - b. Warn the declarant about the liability for producing false information;
 - c. Verify authenticity of the information declared by an oral questioning;
 - d. Ask the declarant to change his declaration making relevant alterations and amendments in case of detection of discrepancies in it according to the procedure stipulated in subparagraphs (a) and (c) of the present point.
3. The customs declaration shall be considered a document of legal nature following the date of fulfilling the formalities for its acceptance.
4. The customs authority shall refuse acceptance of the declaration filled in by a natural person on currency and (or) bearer securities, if the declaration lacks mandatory data as required by legislation or by international treaties of the Republic of Armenia

Article 135. Alterations, Amendments and Renunciation of the Customs Declaration

1. Alterations and amendments shall be implemented in the declaration before acceptance of the latter by the customs official.
2. Officers of the Customs Authority shall not be entitled, on their own initiative, by order or request of any person, to complete in writing the customs declaration, alter or amend the data contained in the given declaration, except for the amendments to be introduced by an officer of the Customs Authority.
3. The declarant shall apply to the Customs Authorities for renunciation of the customs

declaration after fulfilling the customs formalities in accordance with the procedure established by the Ministry of State Revenue of the Republic of Armenia.

Article 136. Simplified Procedure for Declaring Goods and Means of Transportation

The Ministry of State Revenue of the Republic of Armenia shall establish a simplified procedure for declaring goods and means of transportation with a view to improving the fulfilment of the customs formalities.

Article 137. Preliminary Declaration

1. Before transporting goods and means of transportation across the customs border of the Republic of Armenia, the declarant shall have the right for preliminary declaration of the goods and means of transportation; the preliminary declaration of goods shall be subject to revision after transportation of goods and means of transportation across the customs border of the Republic of Armenia.
2. The Ministry of State Revenues shall establish the cases and procedure for preliminary declaration of goods.

Article 154. Customs Authorities as the Currency Control Agents

1. Customs Authorities of the Republic of Armenia are currency control agents.
2. Functions and authorisations of Customs Authorities envisaged in the present Article while carrying out currency control shall be determined in the procedure established by the Central Bank of the Republic of Armenia.

Article 155. Authority of Customs Bodies When Carrying out Currency Control

Customs Authorities of the Republic of Armenia shall carry out currency control over transportation of the RA currency and currency values expressed in the RA currency shipped across the customs border of the Republic of Armenia by persons.

In the event of unusual transportation of gold, other precious metals or precious stones through the customs border of the Republic of Armenia, customs authorities should, on the basis of international treaties or, in their absence, of reciprocity, on their own initiative or upon request, notify customs or other competent authorities of the country of export of such goods to the Republic of Armenia and (or) of the country of export of such goods from the Republic of Armenia, as well as cooperate with those authorities for establishing the source of acquisition, the country of export, and the purpose of transportation of the goods, and for taking relevant measures

Article 155.1: Freezing of Property of Terrorism-Related Persons

In the event of finding matches in the names of persons carrying out transportation of currency and (or) bearer securities through the customs border of the Republic of Armenia with the names of terrorism-related persons included in the lists published by or in accordance with the resolutions of the United Nations Security Council or by the Authorized Body as defined under the Republic of Armenia Law on Combating Money Laundering and Terrorism Financing, the customs authority should without delay make a decision on freezing, for an indefinite term, of the property of such persons in the manner established by the Republic of Armenia Law on Combating Money Laundering and Terrorism Financing.

Article 156. Carrying out Currency Control by Customs Authorities

1. Currency control carried out by Customs Authorities of the Republic of Armenia is an integral part of customs control.
2. Customs Authorities of the Republic of Armenia shall carry out currency control in compliance with the present Code and Currency Legislation of the Republic of Armenia.

3. In the event of import, export, or transit transportation of currency and (or) bearer securities through the customs border of the Republic of Armenia, customs authorities should submit information to the Authorized Body as defined under the Republic of Armenia Law on Combating Money Laundering and Terrorism Financing, in the manner established by the Authorized Body.

4. Customs authorities should at least for 5 years maintain data on transportation of currency and (or) bearer securities, as well as identification data on the persons involved, in cases when, regarding import, export, or transit transportation:

- 1) A declaration is filed with customs authorities;
- 2) A declaration containing inaccurate data is filed, or requirements concerning the ban on transportation are violated;
- 3) Suspicions arise with regard to money laundering and (or) terrorist financing.

Article 156.1: Suspension of Transportation of Currency and (or) Bearer Securities”

1. Customs authorities shall suspend transportation of currency and (or) bearer securities based on information received for anti-money laundering or counter terrorism financing purposes from the Authorized Body as defined under the Republic of Armenia Law on Combating Money Laundering and Terrorism Financing or from law enforcement agencies, in accordance with legislation or with international treaties of the Republic of Armenia, and shall draw up a report in two copies in the manner prescribed by legislation or by international treaties of the Republic of Armenia. One copy of the report shall be provided to the person transporting currency and (or) bearer securities, and the other copy shall be maintained by the customs authority.

2. Immediately upon suspending transportation of currency and (or) bearer securities, customs authorities shall promptly notify the Authorized Body or the law enforcement agency specified under Clause 1 of the Article, which had submitted the relevant information.

3. If, within 30 days from the moment of suspending transportation of currency and (or) bearer securities, the customs authority does not receive any decision (notification) of the Authorized

Body or the law enforcement agency, it shall have 1 day to resolve on lifting the suspension of transportation of currency and (or) bearer securities.

4. In cases specified under Clause 3 of this Article the customs authority shall, within 1 day and by means of registered letter (notification on transfer), notify the person transporting currency and (or) bearer securities. In case of receiving the decision (notification) of the Authorized Body or the law enforcement agency on lifting the suspension of transportation of currency and (or) bearer securities, or in case of imposition of arrest on suspended currency and (or) bearer securities by the law enforcement agency within the deadline specified under Clause 3 of this Article, the customs authority shall, within 1 day and by means of registered letter (notification on transfer), notify the person transporting currency and (or) bearer securities. The letter on lifting the suspension of transportation of currency and (or) bearer securities shall also specify the rules for the transfer of currency and (or) bearer securities, as well as the consequences of not receiving them within the established deadlines.

5. Suspended currency and (or) bearer securities shall be stored by the customs authority having suspended their transportation, based on relevant legislative or departmental acts.

6. The maximum period for the storage of suspended currency and (or) bearer securities subject to transfer shall be 4 months and, if the person or his authorized representative fail to claim back currency and (or) bearer securities within that period, they shall become the property of the state in accordance with legislation.

7. The deadline specified under Clause 6 of this Article shall commence from the day of transfer as identified on the postal delivery or from the day when the customs authority receives the notification on impossibility of transferring the postal delivery.

Article 156.2: Bases for Releasing Customs Authorities and Officials from Responsibility

1. Customs authorities and officials cannot be subject to criminal, administrative, or other responsibility in case of duly performing their obligations under this Code in relation to combating money laundering and terrorist financing.

Article 157. Responsibility for Offences Disclosed in the Result of Currency Control Exercised by Customs Authorities

In case of disclosing offences of Currency Legislation of the Republic of Armenia in the result of implementation of currency control by Customs Authorities, persons committing violations shall bear responsibility in due course of law.

Article 189. Violation of Customs Regulation

1. Illegal actions or inaction of a person against the order established by the RA Customs legislation and the RA international treaties on customs affairs with respect to the customs control and customs formalities of goods and means of transportation transported across the customs border of the Republic of Armenia shall be considered as violation of customs regulations and any person shall incur liability for it in accordance with provisions of the present Code.

2. Any natural or official person shall incur liability for violating customs regulations deliberately or imprudently.

Article 190. Non-compliance with Requirements and Instructions of an Official of the Customs Authorities; Assault, Battery and Threatening with Respect to the Latter

1. Deliberate non-compliance with legitimate requirements of an Official of the Customs Authorities shall entail caution or penalty in the amount equal to ten thousand drams.

2. Assault, battery and threatening with respect to an Official of the Customs Authorities at the time of performance of his official duties shall entail the imposition of penalty in the amount equal to 20.000 drams, unless actions of the offender lead to criminal liability.

Article 194. Failure to Provide Customs Authorities with Documents Required for Implementation of Customs Control

In case of failure to provide Customs Authorities with declaration on goods and means of transportation, as well as failure to provide Customs Authorities, at the demand of the latter, with necessary documents on goods and transportation means required for performance of customs control, irrespective of submission of written declaration, a penalty in the amount of 50.000 drams shall be imposed.

Article 202.1: Cross Border Transportation of Currency and (or) Bearer Securities Allocated for Use in Financing of Terrorism or Constituting Proceeds of Criminal Activity

1. Transportation of currency and (or) bearer securities allocated for use in the financing of terrorism or constituting proceeds of criminal activity in the meaning of Article 190 of the Republic of Armenia Criminal Code, in the absence of indications of crime, shall result in imposition of penalty in the amount of the currency or the face value of bearer securities

Article 203. Failure to Declare Goods or their Declaration under False Name

In case of failure to declare goods and means of transportation crossing the customs border of the Republic of Armenia, i.e. failure to submit accurate information in specified form, as well as declaration of goods and means of transportation under false names, provided absence of indications of crime, a penalty in the amount of customs value of the given goods and means of transportation shall be imposed.