



ORDER OF THE CHAIRMAN OF THE CUSTOMS GENERAL ADMINISTRATION

12 December, 2016

No.A/79

Ulaanbaatar

APPROVAL OF PROCEDURE

Based on Article 232.2 of the Customs Law and the decision of the meeting of the Professional Council of the Customs General Administration dated November 23, 2016, the ORDER is as follows:

1. To approve the “Procedure for implementation of the TIR Convention and inspection on goods and vehicles with TIR carnets” in accordance with Annex.
2. The Customs Inspection and Control Department /E.Munkhuu/ shall be responsible for monitoring the implementation of the order.
3. Order No. 319 of 2003 of the Chairman of the Customs General Administration shall be terminated based on approval of this order.
4. This order shall come into force on January 2, 2017

CHAIRMAN

B.ASRALT

PROCEDURE FOR IMPLEMENTATION OF TIP CARNET AND INSPECTION ON GOODS AND VEHICLES WITH TIR CARNET

One. General provision

- 1.1. The purpose of this procedure is to regulate the implementation of the Convention on international transportation of goods using TIR Carnets, the issuance of TIR Carnets, the registration and inspection on goods and means of transport with TIR Carnets, and the invoicing of Customs and other taxes.
- 1.2. The following legal documents shall apply to international transportation of goods using TIR carnets:
 - a. Convention on the international transportation of goods by TIR Carnet (hereinafter referred to as the "TIR Convention");
 - b. Customs law;
 - c. Law on Customs Tariffs and Duties;
 - d. Resolution No. 86 of the Government of Mongolia of May 8, 2002 "Regarding some measures to implement the convention";
 - e. Agreement between the General Customs Administration of Mongolia and the National Association of Motor Carriers (hereinafter referred to as "NAMC") on issuing guarantees (hereinafter referred to as "Agreement");
 - f. Relevant legislation.

Two. Issuance and guarantee of TIR carnets

- 2.1. The TIR Carnet specified in Annex №1 of the TIR Convention shall be issued to the business entity authorized to carry out TIR transportation and shall be guaranteed liability in connection with the carriage in the territory of Mongolia.
- 2.2. The amount of guarantee for one TIR carnet shall not exceed the amount specified in Section 4 of the Agreement.
- 2.3. The Customs General Administration shall notify the Customs Unit in charge of Customs Control and Inspection by e-mail every time a TIR carney is issued.
- 2.5. The Customs Unit of the Customs General Administration and the Customs General Administration shall exchange information on TIR carnets with or without barriers in accordance with the Agreement and the Memorandum.

Three. Customs control and clearance of goods and vehicles with TIR carnets entering the customs border

- 3.1. For the international transportation of goods within the framework of the TIR Convention approved by a government decree, goods with a TIR carnet shall be imported through a border crossing with a customs office listed in the Customs.
- 3.2. In addition to the documents specified in Article 35.1 of the Customs Law, the Carrier shall issue the Permit Certificate and TIR Carnet specified in Article 4 of the TIR Convention to the Customs and register them in the Customs registration system.
- 3.3. The State Customs Inspector in charge of vehicle registration at the Border Customs shall register goods, vehicles, vehicle sets and containers with TIR carnets by selecting the "Temporary / TIR carnets" menu from the "Purpose" section of the CAIS cargo-transportation sub-program.
- 3.4. State Customs inspector appointed to inspect motor vehicles shall perform inspection on validity of the Permit Certificate and the TIR Carnet specified in Article 4 of the TIR Convention shall be verified and the vehicle shall be inspected. Goods with TIR carnets will be inspected by customs if necessary.
- 3.5. The Customs may refuse to accept TIR carnets in the following cases.
- 3.5.1. Table 1 of the TIR Carnet cover page has expired;
- 3.5.2. The Permit Certificate specified in Article 4 of the TIR Convention does not exist or has expired;
- 3.5.3. The Customs of destination specified by the Customs of the place of departure has changed;
- 3.5.4. Customs marking is damaged;
- 3.5.5. Tables 1-11 of all cargo manifest and cut-off pages shall not be filled in by typewriter or readable;
- 3.5.6. Table 14 of the VIR CER Cargo Manifesto / VOUCHER №1 / №2 / was not filled in and Table 15 was not signed.
- 3.6 The TIR carnet replaces the cargo manifest.
- 3.7. The State Customs Inspector appointed to inspect the vehicle shall fill in Tables 17-22 of the white (VOLET №1) and green (VOLET №2) pages of the TIR carnet and sign Table 23 and affix the TIR sign.
- 3.8 . Fill in Tables 1-5 of the SOUCHE №1 section of the white sheet of the TIR Carnet Break, sign Table 6, and click the TIR sign.
- 3.9 Write the date on the TIR Carnet in the order of day / month / year.
- 3.10 It is prohibited to destroy or repair the TIR carnet by hand. If you need to make corrections, click on the misspelled word and add the record.
- 3.11 . The remaining part of the white sheet to cut the TIR carnet shall be cut off at the Customs.
- 3.12. The state customs inspector who inspected the motor vehicle shall number the accompanying documents of the goods and means of transport, make an envelope marking and attach it to the TIR carnet Home and transfer it to the carrier. When numbering the accompanying documents, write the total number of pages and the page number on each page. For example, 1/5 of the first page of a 5-page document.
- 3.13. The State Customs Inspector who inspected the vehicle shall hand over the remaining blank sheet to the State Customs Inspector in charge of TIR Carnet registration and information.

3.14. Under the TIR Convention approved by the Government Resolution, the inland customs office, which is included in the list of Customs for customs clearance and control of international transportation of goods in the territory of Mongolia, shall perform customs clearance for goods with TIR carnets.

3.15. The Chief State Customs Inspector of the Customs Control Zone who received the goods and means of transport with TIR carnets shall register the number of TIR carnets, the date of inspection and the number of vehicles and perform customs control. After customs clearance, the customs declaration number shall be recorded in the register. Information on goods and means of transport with TIR carnets shall be verified and exchanged with the state customs inspector in charge of registration and information of TIR carnets.

3.16. In case of red state control of goods and means of transport crossing the customs border, state customs inspector appointed to inspect TIR carnets, in case of orange state, state customs inspector for document inspection, in case of green state, senior state customs inspector in charge of customs control zone Fill in Tables 24-27 of the TIR Carnet Break Green Page (VOLET №2), sign Table 28, and click the TIR sign.

3.17 . Fill in Tables 1-5 of the SOUCHE №2 section of the green page of the TIR Carnet Break, sign Table 6, and click on the TIR sign.

3.18. When writing the date on the TIR carnelian, the provisions of 3.9 of this regulation shall apply.

3.19. The state customs inspector specified in provision 3.16 of this regulation shall transfer the green card to the state customs inspector in charge of TIR carnet registration and information.

3.20. The declarant shall enter the TIR carnet number in the “Transportation document” section of Table 52 of the Customs declaration form.

3.21. The State Customs Inspector in charge of TIR carnet registration and information of the Customs offices under Customs control and final clearance shall issue a report in accordance with the indicators specified in Annex 1 to the Agreement.

3.22. If the final clearance is done by the inland customs office, the part of TIR carnet cut-off sheet (green color) in tables 18-28 shall be sent by post to the border customs office where it was imported.

3.23. Goods and means of transport with TIR carnets shall be inspected by the Customs until they are under the control of the Customs for final clearance. Upon arrival at the customs office of the first clearance, the section 18-28 of the green sheet of the TIR carnet cut-off sent by the customs office of final clearance shall be deemed to be completed.

Four. Carrying out customs control and clearance of goods and vehicles with TIR carnets to be exported across the customs border

4.1. In case of international transportation of goods to be transported internationally within the framework of the TIR Convention approved by the Government Resolution, the Customs shall include the Customs clearance

included in the list of Customs authorities for customs clearance and control in the territory of Mongolia.

4.2. In addition to the documents specified in Article 35.1 of the Customs Law, the Carrier shall issue to the Customs the Certificate of Authority and TIR Carnet specified in Article 4 of the TIR Convention.

4.3. The state customs inspector appointed to inspect goods and means of transport with TIR carnets shall comply with the provisions 3.5-3.13 of this order.

4.4. The state customs inspector in charge of vehicle registration at the border customs office for final clearance of goods and means of transport with TIR carnets with a speaker / menu.

4.5. The State Customs Inspector appointed to inspect the vehicle shall check the validity of the Permit Certificate and the TIR Carnet specified in Article 4 of the TIR Convention and inspect the vehicle. Goods with TIR carnets will be inspected by customs if necessary.

4.6. The state customs inspector appointed to inspect the vehicle shall fill in the tables 24-27 of the green sheet of the TIR carnet / VOLET №2 /, sign Table 28 and affix the TIR mark.

4.7. Fill in Tables 1-5 of the SOUCHE №2 section of the green page of the TIR Carnet Break and sign Table 6 and click on the TIR sign.

4.8. The remaining part of the green card to cut the TIR carnet shall be cut off by the Customs.

4.9. The customs officer who filled in the TIR carnet specified in 4.6 of this Regulation shall transfer the remaining part of the TIR carnet to the Customs officer in charge of registration and information of the TIR carnet.

4.10. The State Customs Inspector in charge of TIR carnet registration and information of the first and last cleared Customs shall issue a report according to the indicators specified in Annex 1 to the Agreement and the Customs who made the first clearance shall enter the TIR Carnet information accurately into the TIR Carnet registration program.

4.11. The border customs office that performed the final clearance of goods and means of transport with TIR carnets shall send the part of TIR carnet cut-off sheet (green color) in tables 18-28 to the inland customs office where the first clearance was made.

4.12. Goods and means of transport with TIR carnets shall be inspected by the Customs who made the first clearance until they are under the control of Customs. Upon receipt of the first 18-28 part of the green sheet of the TIR carriage cut-off sheet sent by the customs office of final clearance, the shipment with the TIR carnet shall be deemed to be completed.

Five. Customs control and return of goods and vehicles with TIR carnets for transit between countries

5.1. The Customs shall import the goods and means of transport with TIR carnets for transit through the state border in compliance with Articles 3.1-3.13 of this Regulation.

5.2. The inspector in charge of vehicle registration of the Customs shall remove the vehicle registration proof number from the cargo-transportation sub-program of the CAIS program and submit it for Customs control.

5.3. The Customs shall export the goods and means of transport with TIR carnets for transit across the state border in accordance with Articles 4.5-4.12 of this Regulation.

Six. Invoicing customs and other taxes

6.1. In case of violation of the provisions of the TIR Convention, the Customs shall claim the relevant Customs and other taxes from the Mongolian Customs Service.

6.2. If the Customs and Tax Authority fails to pay the Customs duties and other taxes claimed by the Customs on time, the Customs shall impose liability on the Customs and Excise Department in accordance with the Customs legislation.

Seven. Other issues

7.1. In case of force majeure or traffic accident, the competent authority / nearby customs, police, emergency organization / Fill in the name of the place, whether the customs mark has been changed and whether the vehicle is damaged.

7.2. In case of force majeure or road traffic accident, the Customs shall decide whether to transfer the goods to the vehicle authorized to carry out TIR transportation in case of shortage, damage or impossibility of further movement of the vehicle. In the case of a transshipment permit, fill in Tables 16-17 of the TIR Carnet Protocol page.

7.3. The State Customs Inspector appointed by the Customs who received the goods specified in 7.1 and 7.2 of this Regulation under Customs control shall sign and certify in Table 18 of TIR Carnet Protocol page.

7.4. In case of violation of customs and other relevant laws and regulations by the carrier of goods with TIR carnets, the TIR carnage ticket card shall be filled out by the state customs inspector who detected the violation, handed over to the owner of TIR carnets and returned to the owners of TIR carnets.

7.5. Other issues not regulated by this temporary regulation shall be resolved in accordance with Customs and other legislation.

7.6. In case of violation of this regulation, the state customs inspector shall be held liable in accordance with the Customs and relevant legislation.