

E. Processing under customs control

Article 150

The procedure for processing under customs control shall allow non-Albanian goods to be used in the customs territory of the Republic of Albania in operations which alter the nature or state of goods, without their being subject to import duties or commercial policy measures, and shall allow the products resulting from such operations to be released for free circulation at the rate of import duty appropriate to them. Such products shall be termed processed products.

Article 151

The list of cases in which the procedure for processing under customs control may be used shall be determined in the Implementing Provisions of this Code.

Article 152

Authorization for processing under customs control shall be granted at the request of the person who carries out the processing or arranges for it to be carried out.

Article 153

Authorization shall be granted only:

- a) to persons established in the Republic of Albania;
- b) where the import goods can be identified in the processed products;
- c) cases where the goods cannot be economically restored after processing to their description or state as it was when they were placed under the procedure;
- d) where use of the procedure cannot result in circumvention of the effect of the rules concerning origin and quantitative restrictions applicable to the imported goods;
- e) where the necessary conditions for the procedure to help create or maintain a processing activity in the Republic of Albania without adversely affecting the essential interests of Albanian producers of similar goods (economic conditions) are fulfilled.

Article 154

Articles 139 and 140 shall apply *mutatis mutandis*.

Article 155

Where a customs debt is incurred in respect of goods in the unaltered state or of products that are at an intermediate stage of processing as compared with that provided for in the authorization, the amount of that debt shall be determined on the basis of the items of charge elements appropriate to the import goods at the time of acceptance of the declaration relating to the placing of the goods under the procedure for processing under customs control.

Article 156

1. Where the import goods qualified for preferential tariff treatment when they were placed under the procedure for processing under customs control, and such preferential tariff treatment is applicable to products identical to the processed goods released for free circulation, the import duties to which the processed products are subject shall be calculated by applying the rate of duty applicable under that treatment.

2. If the preferential tariff treatment referred to in paragraph 1 in respect of the import goods is subject to tariff quotas or tariff ceilings, the application of the rate of duty referred to in paragraph 1 in respect of the processed products shall also be subject to the condition that the said preferential tariff treatment is applicable to the import goods at the time of acceptance of the declaration of release for free circulation. In this case, the quantity of import goods actually used in the manufacture of the processed products released for free circulation shall be charged against the tariff quotas or ceilings in force at the time of acceptance of the declaration of release for free circulation and no quantities shall be counted against tariff quotas or ceilings opened in respect of products identical to the processed products.