

# CUSTOMS CODE OF THE REPUBLIC OF MOLDOVA

## Law of the Republic of Moldova No. 1149-XIV of July 20, 2000

### Chapter 7 Transit

#### Article 42. General provisions

1. Transit is a customs regime under which the goods are transported in the customs territory under customs supervision from one customs body to another, without lifting the imports and export fees and without applying the economic policy measures, if the legislation does not provide otherwise.
2. The timeframe of transit shall be established by the customs body but can not be larger than 8 days from the moment of crossing the customs border.
3. The holder of the transit customs regime is the person under whose responsibility the customs operation takes place. He is obliged to submit to the initial customs body a customs transit declaration.
4. The goods which are prohibited to enter Moldova or restricted to enter can not be placed under the customs regime of transit, unless the national legislation that regulated the transit of these types of goods is respected.
5. The goods processed for export at an internal customs body shall be placed under customs regime of transit until they reach the border customs body.

#### Article 42<sup>1</sup>).

- (1) Transit customs regime can be either international or domestic.
- (2) Transit is international in the case when customs bodies involved in the transit customs regime are border customs bodies.
- (3) Transit is domestic in the case when at least one of the customs bodies involved in the transit procedure is an internal customs body.

#### Article 43. Conditions of placement of goods under transit customs regime

1. When placing the goods under transit customs regime, the goods have to meet the following criteria:
  - a) not to be used in other aims than that of transit;
  - b) to be transported to the destination customs body within the term established by the departure customs body, depending on the type of transport, distance, and weather conditions, etc.
2. In case when the holder of the transit operation performed with his own transport mean, can not guarantee the respect of the customs legislation, the customs body is entitled to grant him the transit customs regime provided that certain conditions are respected: the vehicle is endowed correspondingly, performance of transport of goods by another carrier or with customs accompaniment. The expenses related to these actions shall be borne by the transporter.

#### Article 44. Authorization for placement of goods under transit customs regime

The goods can be placed under transit customs regime only with the authorization of the customs body and with the respect of the provisions of art. 43, except the cases provided for by the law.

#### Article 45. Ending of the transit customs regime

The transit customs regime shall end when the goods are presented, together with the accompanying documents, to the destination customs body, in unchanged estate, except for the natural losses related to the transportation and storage in good conditions.

#### Article 46. Accompanying documents

1. The accompanying documents shall be presented to the destination customs body in the order of presentation of the goods.
2. In case when the destination customs body is an internal body, upon the request of the declarant, the goods may be placed under another customs destination.

#### Article 47. Damaging of the goods or force majeure

1. In the event of an accident or force majeure goods may be unloaded. In such a case The owner (carrier) shall:

- a) take every action required to assure the safety of goods and not allow their use for any purpose;
- b) immediately notify the closest customs authority of the circumstances and location of goods and means of transportation;
- c) ensure transportation of goods and means of transportation to the closest customs authority or delivery of the customs officers to the location of goods and means of transportation.

2. Costs associated with the measures stipulated in paragraph 1 shall be incurred by the carrier.

#### Article 48. Liability of the holder of the transit operation

1. The carrier shall be responsible for the transshipment of goods through the customs territory. He is obliged to present, within the established term to the destination customs body, the goods with the identification means applied by the customs authority untouched.

2. If the goods were released into free circulation without the customs authorities' permission or were lost or failed to be delivered to the customs authority of destination within the established time frame, or were forged or in short delivery, the carrier shall pay the customs fees payable under import or export customs regimes respectively, excluding event when goods have been found to be destroyed or irrevocably lost as a result of force majeure.

#### Article 49. Respect towards the international legislation

In case of use of the transit procedure in accordance with the international agreements to which Moldova is part, the customs body shall accept them without issuing internal documents.

