



“ During our cooperation your team demonstrated excellent knowledge in the areas of labor, tax, customs and corporate law, as well as on intellectual property issues. KIAP could be characterized by precision in execution of obligations, responsibility, innovative approach in solving complex tasks and excellent knowledge of the industry.

Anna Salivon, Head of Legal Department, Otto Group Russia

- › Customs clearance and customs control over imported and exported goods
- › International leasing transactions
- › Evaluation and minimization of customs risks
- › Compliance with prohibitions and restrictions
- › Protection of rights and lawful interests throughout measures undertaken by customs agencies for customs control purposes
- › Specifics of the foreign trade regulatory regime in light of Russia joining the World Trade Organization (WTO)
- › Refunds of overpaid customs duties, taxes and recovery of interest for violation of the timeframe applicable to the refunds
- › Nuances of customs procedures applied in the event of import/export of multicomponent items in unassembled/dismantled form
- › Estimation for the customs value of the goods and verification thereof
- › Structure of transactions based on requirements of the customs and currency control laws and the rules of the WTO
- › Application of benefits and preferential norms
- › Classification of goods and obtaining rulings of the customs authorities regarding such classification
- › Proceedings in cases regarding administrative offences and administrative liability
- › Re-assessment and recovery of customs duties
- › Wrongful refusal on part of the customs agencies to undertake requested actions or adopt requested rulings
- › Adjustments to the customs value of goods
- › Assistance in disputing unfounded demands by customs agencies



Team



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Infographic



Doing Business in Russia
www.kiaplav.ru/doing_business

› Clothing importer

Advocacy for the client in a series of administrative actions for misdeclaration and filing of invalid documents when completing customs formalities. All court rulings holding the company liable were quashed by a superior court, with proceedings in the cases terminated.

› International trade company

Representing the client in an appeal against the decision of the Federal Customs Service on trade value correction. The above-mentioned decision was found unlawful by the courts, and the risk of the company being unjustifiably charged was mitigated.

› Major trader

Representation of the interests of a client subjected to a desktop customs audit, which resulted in extra customs charges for earlier imports. A review of the audit findings suggested that the customs ruling could be challenged under a pre-action protocol. Having reviewed the complaint, the superior customs authority found the customs charges illegal and set aside the ruling.

› One of the marketing services providers

Comprehensive legal support for the project on changing the FEACN classification code for the earlier imported goods and on the refund of overpaid customs duties. The court dispute initiated in the interests of the Principal at the Arbitrazh Court of Saint Petersburg and the Leningrad Region was finished by termination of proceedings in connection with the voluntary refund by the customs authority of the earlier customs payments made to the Principal's operating account.

› Major importer

Advising the client on the applicability of technical regulations to imports into the Eurasian Economic Union.

› Global player in the garment market

Advising the client on customs valuation under contracts between affiliates.

› Supplier of repair and construction materials

Representation of the interests in a dispute with the Moscow Regional Customs Office concerning classification of goods in accordance with the Foreign Economic Activity Commodity Nomenclature (FEACN). The arbitration court recognized the customs authority ruling in respect of the classification of the goods to be illegal and ordered the customs authority to refund the excessively collected customs payments to the importer.

› Mining and smelting company

Successful defence of the client in several court disputes with customs agencies on invalidation of rulings with respect to adjustments to the customs value for imported goods.

› Major trader

Challenging a customs ruling requiring to pay extra customs charges on previous imports. Outcome: the challenge upheld under a pre-action protocol and the customs ruling set aside by a superior customs authority.

› Trading company

Representation of the interests in the course of the verification of the customs value of the earlier imported goods carried out by the Central Customs Administration. The customs value declared by the company was found to be justified and the verification procedure discontinued.

› Subsidiary of a mining and smelting holding

Representation of a client in a series of customs disputes with the customs agency with respect to refunds of customs duties enforced against the company. Result of the dispute: customs duties refunded, with the interest paid by the customs agency for having violated the timeframe with respect to the refund.

› Major trader

Advising the client on changes in the TN VED [Export and Import Commodity Classification (IM-EXCC)] classification code for prior imports.

PROJECTS

