

Emblem

We wish to draw your attention to the fact that the Decree of the Government of the Russian Federation of October 22, 2018 No. 1259 "On Amendments to the List of Strategic Goods and Resources for the Objectives of Article 226.1 of the Criminal Code of the Russian Federation" (hereinafter - the Decree) resources for purposes of Article 226.1 of the Criminal Code of the Russian Federation, approved by the Decree of the Government of the Russian Federation of September 13, 2012 No. 923 "On approval of the list of strategically important goods and resources for the objectives of Article 226.1 of the Criminal Code of the Russian Federation, " paragraphs were amended on the items made of precious metals and precious stones and also of natural pearls, watches, their bodies, straps, belts and bracelets, ores of precious metals and concentrates.

The effect of the provisions of the Decree implies the criminal responsibility under Article 226.1 of the Criminal Code of the Russian Federation, in case of illegal transfer of specified goods with a value exceeding one million rubles.

It is important to take into account that, according to clause 5 of Article 266 of the Customs Code of the EAEU, goods for personal use imported into the customs territory of the Eurasian Economic Union (hereinafter - the Union) after their temporary export from the customs territory of the Union are imported into the customs territory of the Union without paying customs duties and taxes regardless of their value, weight and (or) quantity, provided that their state remains unchanged, except for changes due to natural wear and tear and also changes due to natural loss under normal conditions; transportation (transportation) and (or) storage, and the import was confirmed to the customs authority in accordance with the procedure established in accordance with paragraph 2 of Article 265 of the Customs Code of the EAEU stating that these goods are returned into the customs territory of the Union after their temporary export from the customs territory of the Union.

If the customs authority does not confirm that goods for personal use are imported into the customs territory of the Union after they had been temporarily exported from this territory, such goods are subject to customs duties and taxes.

**Decree of the Government of the Russian Federation
dated October 22, 2018 N 1259
On Amendments to the List
on strategic goods and resources
for the objectives of Article 226.1 of the Criminal Code
Russian Federation"**

The Government of the Russian Federation RESOLVES:

1. To include in the list of strategically important goods and resources for the objectives of Article 226.1 of the Criminal Code of the Russian Federation, approved by the Decree of the Government of the Russian Federation dated September 13, 2012 N 923 "On approval of the list of strategically important goods and resources for the objectives of Article 226.1 of the Criminal Code of the Russian Federation, and also on the definition of types of strategically important "goods and resources for which a large amount is as a value in excess of 100 thousand rubles" (Russian Federation Code , 2012, N 38, s . 5133; 2014, N 51, Art 7451; 2016, N 33, Art 5191; 2018, N 37, Art 5738; N 39, item 5977), the following amendments:

a) Section I shall be supplemented by items 2 (1) - 2 (5) as follows:

"2(1).Items of precious metals <*>	7113 - 7114 20 000 0
2(2).items of precious stones and natural pearl <****>	7116 10 000 0, 7116 20
2(3). Wrist watches, pocket watches and other to wear on a person or with the person, including stop watch which body is made from the precious metal or metal plated by the precious metal <*>	9101
2(4). Watch bodies to wear on a person or with a person from oreicious metal or metal plated by the precious metal <*>	9111 10 000 0
2(5). Straps m belts and bracelets for watches to wear on a person or with the person and their parts from the precious metal or metal plated by the precious metal <*>	9113 10 ";

b) Section II shall be supplemented by positions 14(1) as follows:

"14(1). Ores and concentrates of precious metals <*> [2616](#)";

c) Supplement the following text by the 4th foot note :

"<****>In order to use this List it is necessary to obey the Commodity Code of the Foreign Economic Activity of EAEU and consider the commodity name"

2. This Decree shall enter in force upon expiration of 30 days after its official publication

Prime –Minister
of the Russian Federation Government
D. Medvedev

Article 226.1. Smuggling of virulent, toxic, poisonous, explosive, radioactive substances, radiation sources, nuclear materials, firearms or its main parts, explosives, ammunition, weapons of mass destruction, their means of delivery, other weapons, other military equipment, as well as materials and equipment that can be used to create weapons of mass destruction, their means of delivery, other weapons, other military equipment, as well as strategic goods and resources or cultural values or the most valuable wildlife and aquatic biological resources

(Federal Law of 02.07.2013 N 150-FL) (Federal Law 07.12.2011 N 420-FL).

1. The illegal (moving through the green corridor with undeclared goods) movement across the customs border of the Customs Union within the framework EEC or the state border of the Russian Federation with the states – members Customs Union within the EurAsEC virulent, poisonous, toxic, explosives, radioactive substances, radiation sources, nuclear materials, firearms, its basic parts (trunk, a gate, a cylinder, frame, receiver box), explosives, ammunition, weapons of mass destruction, their means of delivery, other weapons, other military equipment, as well as the materials and equipment that can be used to create weapons of mass destruction, their means of delivery, other weapons, other military equipment, as well as strategic goods and resources or cultural values on a large scale or high-value wildlife and aquatic biological resources included to the Red Book of the Russian Federation and (or) protected with international agreements of the Russian Federation, their parts and derivatives (Federal Law of 02.07.2013 N 150-FL) shall be punished by imprisonment for a term of three to seven years with a fine of up to one million rubles or the salary or other income for period of up to five years or without it and with a restriction of freedom for up to one year or with no such.

2. The act provided the first part of this article, committed:

a) By an official using his official position;

b) With the act of violence use against the person performing customs or border control, shall be punished by imprisonment for a term of five to ten years with a fine of up to one million rubles or the salary or other income for period of up to five years or without it and with a restriction of freedom for up to six years, with or without such.

3. Acts stipulated by the first or second paragraph of this article, committed by an organized group, shall be punished by imprisonment for a term of seven to twelve years with a fine up to one million rubles or the salary or other income for the period up to five years or without it and with a restriction of freedom for up to two years or without it.

Notes.

1. The list of strategic commodities and resources for the purposes of this article shall be endorsed by the Government of the Russian Federation.

2. As a large scale of strategic commodities, resources and cultural valuables shall be deemed in this article their value exceeding 1 million rubles. For the separated types of strategic commodities determined by the Government of the Russian Federation...a hundred thousand rubles.

3. The list of especially valuable wild animals and aquatic biological resources belonging to types of animals included to the Red Book of the Russian Federation and protected with international agreements of the Russian Federation in purposes of this article and the article 258.1 of this Code are approved by the Government of the Russian Federation.

4. As a large scale of cultural properties shall be deemed in this article their value exceeding a hundred thousand rubles.