

GENERAL AGREEMENT ON TARIFFS AND TRADE

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INFORMATION ON IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

Addendum

Legislation of Romania

*English only. The original text in Romanian language has been submitted to the secretariat (Non-Tariff Measures Division) where it can be consulted.

With reference to the provisions of Article 25 of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade and of the Protocol, accepted by our country under Decree No. 183 of 11 June 1980, of the State Council of the Socialist Republic of Romania, we inform you that the questions under Article VII of the General Agreement on Tariffs and Trade are solved under Law No. 30 of 22 December 1978 regarding the Customs Code of the Socialist Republic of Romania, published in the Official Bulletin of the Socialist Republic of Romania No. 115 of 28 December 1978, whose provisions comply with those of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade.

The text of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade and of the Protocol is published in the Official Bulletin No. 47, Part I, of 16 June 1980 of the Socialist Republic of Romania.

CUSTOMS CODE OF THE SOCIALIST REPUBLIC OF ROMANIA

As part of the process of implementation of the Programme of the Romanian Communist Party for the building up of a multilaterally developed socialist society and for Romania's progress towards communism, and of the process of swift-paced growth of her entire economic, technical and scientific, and cultural potentialities, the Socialist Republic of Romania is pursuing a policy of extension of her commercial relations and of her international economic cooperation, and of constant intensification of the exchange of material and spiritual values with all the countries of the world irrespective of their socio-political system.

The Socialist Republic of Romania firmly bases her economic relations with the other states on observance of the principles of national sovereignty and independence, noninterference in domestic affairs, equality in rights and mutual advantage.

With the above as a background, the tariff policy of the Socialist Republic of Romania, an integral part of the domestic and foreign policy of the party and state, constitutes an important means of stimulating the development of the national economy, the growth, diversification and modernization of domestic production and the extension of Romania's participation in the international division of labour.

With such aims in view, it becomes necessary to improve the customs system so that it may ensure a rise in the sense of responsibility of the central bodies, of the producing units, of foreign trade companies and of the other socialist

units, as well as speed up and facilitate the traffic of goods.

Furthermore, the customs system should help facilitate cultural and scientific exchanges and promote international tourism while protecting the national cultural heritage, the health of the population and the social and state system.

For the purpose of establishing a unitary framework for the customs system and for the unfolding of customs activities.

The Grand National Assembly of the Socialist Republic of Romania passes the present Customs Code of the Socialist Republic of Romania.

CHAPTER I

General provisions

Art. 1 — The customs policy of the Socialist Republic of Romania is formulated and is applied in agreement with the domestic and the foreign policy of the party and of the state.

The customs policy relying on efficient economic bases, helps to stimulate and diversify domestic production and exports; to meet national economy requirements in raw materials and other imported goods; to extend international economic, technical and scientific cooperations as well as cultural and tourist exchanges with other states; and to raise the material and spiritual living standard of the people.

Art. 2 — The customs of the Socialist Republic of Romania is based on the constitutional principle in accordance with which foreign trade is a state monopoly.

Art. 3 — The customs system, established in accordance with the principles of the customs policy of the Socialist Republic of Romania, comprises the rules and regulations applicable in carrying out customs control, customs clearance of the goods, application of the customs tariff, as well as the other customs operations.

In applying the customs system, the conventions the Socialist Republic of Romania is a party to, shall be taken into account.

Customs proceedings and other rules and regulations applicable in the performance of customs activities shall be established by the Customs Regulations approved by decree of the State Council.

Art. 4 — In pursuance of the law, customs units are organized and are operating for the application of the customs system at the control posts for crossing the state frontier and within the country.

Entry into, and exit from, the Socialist Republic of Romania of merchandise, means of conveyance and any other goods, is permitted only at the control posts for crossing the state frontier.

The merchandise, the means of conveyance and any other goods crossing the state frontier are subject to customs clearance.

Art. 5 — The activities concerned with the exports and imports of goods are carried out by units authorized to do so pursuant to the law.

Exportation and importation of merchandise are carried out in accordance with legal provisions in the field of foreign trade and international economic cooperation, based on export and import licences, with observance of the rules and regulations governing custom clearance.

Art. 6 — The imported merchandise is subject to customs duties, as laid down in the customs tariff for imports, which is approved by decree of the State Council.

The merchandise designed for export is not subject to customs duties.

Art. 7 — For the purpose of extending and diversifying the forms of foreign trade and of international economic cooperation, free ports and zones may be created on the territory of the Socialist Republic of Romania, where customs facilities are ensured, pursuant to the law.

Art. 8 — Natural persons are permitted to introduce into, and take out of, the country goods designed for personal use and for the use of their families and household, with observance of the provisions of the present code and of the other legal provisions.

Natural persons are not permitted to introduce into, and take out of, the country goods for trading purposes.

Art. 9 — The Ministry of Foreign Trade and International Economic Cooperation is answerable for the implementation of the policy of the party and state in the field of customs.

Art. 10 — The customs bodies are answerable for the strict application of the rules and regulations governing the customs system; for taking suitable measures for clearing export and import merchandise through the customs without any delays; as well as for the prevention, ascertaining and sanctioning of the infringements of customs rules and regulations.

Art. 11 — The economic ministries, the other central bodies and the units carrying on export and import activities are answerable, each of them in its field of activity, for the delivery of the merchandise designed for export and for the reception of the imported merchandise strictly in accordance with the licences that have been issued, with the clauses concerning quality and quantity, the time of delivery and other conditions laid down by law, and with the foreign contracts that have been concluded, as well as for the observance of the rules and regulations governing the clearing of goods through the customs.

CHAPTER II

Provisions Concerning Exports and Imports

SECTION I

Exportation of Goods

Art. 12 — The units authorized to carry out foreign trade operations are entitled to export only the goods which are the object of their activity, based on the approvals and on the documents stipulated by the law.

With a view to clearing the goods for export, the units authorized to carry out foreign trade operations shall lodge the customs documents with the customs bodies and show the goods designed for export to them, being answerable for the correctness of the particulars stated therein.

Art. 13 — The units producing goods for export and those authorized to carry out foreign trade operations are answerable for any delays occurring in clearing the goods through the customs owing to their failing to tender the clearing documents in due time.

Art. 14 — Clearing through the customs clearance for export consists in the customs inspection of the goods and of the means of conveyance; in checking the customs documents and the accompanying transport documents; and in keeping a record of the exported goods.

Customs clearance shall be carried out at the customs units at the frontier or at those within the country.

In order to speed up the customs clearance of the goods for export and to obviate the detention of the means of conveyance at the frontier customs clearance or inspection of the loading of the means of conveyance may also be carried

out on the premises of the units producing the goods for export, under the conditions stipulated in the Customs Regulations.

Art. 15 — The customs bodies shall check whether the goods shown them are in keeping with the export licences, and whether the particulars put down in the customs documents accord with the goods shown them as to quantity, nature and destination, and apprise the competent units of any non-conformity they have ascertained.

Should it be ascertained that some of the goods are depreciated, damaged, unsuitably packed or unsuitably transported, the customs bodies shall retain the goods involved and apprise the competent bodies of the State General Inspectorate for Product Quality Control, which shall check conditions on the spot and take suitable measures. Under the above circumstances, the responsibility for the goods being retained and for delayed shipment rests with the units which have supplied the goods for export or with those carrying out the transportation, as the case may be.

Art. 16 — The transport companies are under obligation to make available to the producing units means of conveyance which should ensure, in accordance with the economic contracts that have been concluded, delivery in due time of the goods designed for export; avoidance of depreciation and damaging of the goods; and safe transportation throughout the journey.

Should it be found that the means of conveyance do not fulfill the conditions stated in the preceding paragraph, the customs bodies shall apprise the transport company thereof and the latter shall immediately take the necessary measures. Under the circumstances, the responsibility for the ensuing delay rests with the company which has transported the goods under inadequate conditions.

SECTION I

Importation of Goods

Art. 17 — The units authorized to carry out foreign trade operation shall import goods in keeping with their object of activity, based on the approvals and on the documents stipulated in the law, and shall take the measures necessary for clearing the goods through the customs in good time so that the imported goods should immediately enter the economic circuit.

Art. 18 — With a view to clearing the goods for import, the units authorized to carry out foreign trade operations shall declare and show the arrived goods, at the same time filling the customs documents. The importing units are answerable for any delay occurring in customs clearance of the goods owing to their failing to tender the documents in due time.

Art. 19 — Customs clearance for import consists in the customs inspection of the goods and of the means of conveyance; in checking the customs documents and the accompanying transport documents; in applying the customs tariff for imports, and in keeping a record of the imported goods.

Customs clearance shall be carried out at the customs units at the frontier or at those within the country.

In order to enable the goods to enter the economic circuit without delay, Customs clearance may also be effected on the premises of the units which are to the users of the imported goods.

Art. 20 — When clearing imported goods the customs bodies shall check whether the goods are in keeping with the import licences and whether the particulars put down in the customs documents accord with the goods shown them as to quantity and nature.

SECTION 3

Customs Tariff

Art. 21 — The customs tariff of the Socialist Republic of Romania for imports is applied for the purpose of taking advantage of the country's participation in the international division of labour; improving economic and social activities; ensuring wide use of economic and financial levers in foreign trade activities, and enabling the domestic prices of the imported goods to reflect import prices.

Art. 22 — In the goods imports from countries which do not apply most-favoured-nation treatment in the field of customs duties in their relations with the Socialist Republic of Romania, the duties stipulated in the customs tariff for imports may be increased.

Furthermore, increased customs duties may be instituted in relations with countries which rise their customs without previous agreement.

Rises in customs duties must be approved by a decree of the State Council.

Art. 23 — For imports of goods from countries with which trade exchanges are based on international conventions and protocols, customs duties shall be levied in accordance with the provisions of those conventions and protocols.

Art. 24 — Customs duties shall be levied on the customs value of the goods, which is determined in accordance with the rules laid down in the Customs Regulations.

Art. 25 — The following goods imported by the units authorized to carry out foreign trade operations are exempted from payment of customs duty:

a) samples, reference patterns, test pieces, and publicity, advertising and documentation materials as part of the object of activity of the

importing units, with observance of the conditions stipulated in the Customs Regulations;

b) goods repaired or replaced by foreign partners; goods designed to replace products previously imported, in accordance with contract clauses relating to quality; goods received to make up for the discounts allowed; returns sent as a result of an error in forwarding;

c) goods specially authorized by such bodies as are laid down in the law for the purpose of being incorporated in export products, or of being processed or machined with a view to exportation;

d) machines, equipment and apparatus sent over free of charge for the purpose of turning out goods designed exclusively for export, based on contracts concluded in accordance with authorizations issued;

e) goods designed for military units and for national defence.

The goods exempted from customs duties can be used only for the purposes for which they have been imported. Should it become necessary, for economic or technical considerations, to use them for different purposes, the units that have them in their possession must first obtain the preliminary approval of the Ministry of Foreign Trade and International Economic Cooperation and pay customs duties calculated on the customs value at the moment the goods entered the country.

The financial control bodies shall check on the manner in which the imported goods exempted from customs duties are used and take suitable measures in case of infringements.

Art. 26 — By presidential decree, reductions of, and exemptions from, customs duties may be granted, lots of goods exempted from customs may be instituted, or the levying of customs duties may be partially or totally suspended in the importation of certain goods for a period of time.

SECTION 1

**Joint Companies with Registered Offices
in the Socialist Republic of Romania**

Art. 27 — Joint Companies with registered offices in the Socialist Republic of Romania may export and import goods as part of their object of activity, under the conditions laid down in the law.

The customs system established for the units authorized to carry out foreign trade operations also applies to joint companies.

Art. 28 — The goods introduced into the country as part of the contribution of the foreign partners of joint companies to the companies' capital are exempted from payment of customs duties.

CHAPTER III

**Introducing into, and Taking out of,
the Country Goods Outside the Scope
of Foreign Trade Activities**

SECTION 1

Romanian Corporate Bodies

Art. 29 — Romanian legal persons may introduce into, and take out of, the country goods that are outside the scope of foreign trade activities, under the conditions established by the Customs Regulations, provided the law does not forbid their being introduced into, and being taken out of, the country.

Art. 30 — The following categories of goods introduced into the country by Romanian legal persons are exempted from customs duties:

a) test pieces and experimentation materials;

b) books and other printed matter, tape and film recordings, and objects of a cultural nature or designed for teaching purposes, received on the basis of an agreement with the foreign partners;

c) goods received as a result of succession bestowed by will, of donations and aids;

d) goods belonging to central bodies or to socialist units received from their agencies abroad;

e) goods for use on the occasion of political, economic, cultural, scientific, tourist, and sports events and of other similar activities;

f) foreign goods which, pursuant to the law, become the property of the Romanian state, having been abandoned or been confiscated.

The customs duties specified in the import customs tariff are levied on other categories of goods introduced into the country.

Art. 31 — The goods that have been introduced into the country free of customs duties by Romanian legal persons shall be entered by the latter in their account books; they can only be sold under the conditions laid down in the law.

The financial control bodies shall check of the use made of the foregoing goods.

Art. 32 — Romanian legal persons may take goods out of the country within the limits established by the law, with observance of the provisions of the Customs Regulations.

SECTION 2

*Agencies of Foreign Commercial Firm and
Economic Organizations*

Art. 33 — The agencies of foreign commercial firms and economic carry on their activities in the Socialist Republic of Romania in accordance with their object, as established in the authorization issued for their operation, with observance of legal provisions.

They may introduce into the country goods for the equipment and maintenance of their offices, paying customs duties as specified in the import customs tariff. Furthermore, they may take out of the country without paying any customs duties, the goods they have introduced into the country as well as the goods they have purchased in the Socialist Republic of Romania to meet usual requirements, under the conditions stipulated in the Customs Regulations.

Art. 34 — Foreign economic agencies, the agencies of foreign commercial firms and economic organizations, and other foreign firms and organizations may introduce into the country, free of duty, samples and reference patterns publicity, advertising and documentary materials as well as any articles for use at fairs, exhibitions, congresses, conferences, symposia, contests and other similar events in which they take part. The conditions and rules governing the introduction of such goods into the country are established in the Customs Regulations.

SECTION 3

Diplomatic Missions and Consular Offices

Art. 35 — The diplomatic missions and consular offices accredited in the Socialist Republic of Romania as well as their members may introduce into, and take out of, the country, free of customs duties, goods designed for the official use of the missions or consular offices, or for the personal use of their members, under the conditions established by the international conventions to which the Socialist Republic of Romania is a party or on a reciprocity basis.

Diplomatic missions, consular offices and their members are permitted to introduce goods into the country, and to take them out of the country, with observance of the provisions of the law and of the rules established in the Customs Regulations.

Art. 36 — For certain categories of consumer goods designed for the official use of the diplomatic missions and consular offices and for the personal use of their members and of the latter's families certain limits are established in the Customs Regulations, with exemption of customs duties within those limits. In establishing the limits within which exemption from customs duties is granted, reciprocity conditions are taken into account.

Art. 37 — The goods introduced into the country free from customs duty by diplomatic missions and consular offices, and by their members can be sold to persons who do not benefit by the same exemptions only through the agency of authorized commercial organisations, with payment of customs duties.

Art. 38 — The customs regime governing the goods belonging to diplomatic missions and consular offices and to their members also applies to the international organizations based on having agencies, in the Socialist Republic of Romania and to their employees, within the limits and under the conditions established in the international agreements to which the Socialist Republic of Romania is a party.

CHAPTER IV

Merchandise and Other Goods Temporarily Crossing the State Frontier

Art. 39 — The units authorized to carry out foreign trade operations are entitled temporarily to dispatch abroad, as part of the object of their activities and under the conditions stipulated by the law, goods designed for:

- a) building and erection work, service and other similar activities;
- b) repairs and replacement of goods based on the agreements concluded with foreign partners:

c) participation in fairs, exhibitions, congresses, conferences, contests and other similar events;

d) consignment operations;

e) appointment of Romanian agencies abroad;

f) other activities agreed to by the Romanian partner with foreign partners.

Art. 40 — The units authorized to carry out foreign trade operations may temporarily receive from abroad, as part of their object of activity and under the conditions stipulated by the law, free of customs duties, goods designed for:

a) work based on agreements reached with foreign partners; leasing and services;

b) consignment operations;

c) participation in fairs, exhibitions, congresses, conferences, contests and other similar events;

d) other activities agreed to by the Romanian partner with foreign partners.

Art. 41 — Legal persons other than the units authorized to carry out foreign trade operations may temporarily take goods out of the country and introduce them into the country free of customs duties, as part of their object of activity and under the conditions stipulated by the law.

Art. 42 — Those responsible for temporary operations shall take the measures necessary for returning them or taking them out of the country, as the case may be, within the time limits established by the Customs Regulations.

Art. 43 — Based on the approval of the competent bodies, the goods sent temporarily abroad or temporarily taken out of the country may be turned to account on the foreign markets, with observance of the customs regulations in force.

The goods received temporarily from abroad or introduced temporarily into the country may be sold in the Socialist Republic of Romania.

with observance of legal provisions. Under the foregoing circumstances, the goods are subject to customs duties, calculated on the customs value at the time when they entered the country.

CHAPTER V

Customs transit and Other Customs Operations

Art. 44 — Customs transit of merchandise, means of conveyance and other goods by rail, sea, river, air and road is permitted on the territory of the Socialist Republic of Romania.

The merchandise, means of conveyance and other goods in course of customs transit are not subject to customs duties.

Art. 45 — The goods in course of customs transit shall be under customs supervision until they are cleared through the customs or leave the country.

The goods cleared inside the country for shipment abroad are considered to be in course of customs transit until they reach the frontier.

Art. 46 — The goods in transit which are turned to account on the territory of the Socialist Republic of Romania, are subject to the rules governing import and customs duties.

Art. 47 — Foreign goods may be stored on the territory of the Socialist Republic of Romania, without payment of customs duties; they are subject to the legal warehousing taxes.

Art. 48 — The transportation of domestic goods from one port of the Socialist Republic of Romania to another along an international watercourse or having access to such a watercourse, is subject to customs supervision and, in case of necessity, to customs inspection.

CHAPTER VI

Free Ports and Zones

Art. 49 — Free ports and zones where the goods introduced therein and taken out are free of customs duties, may be instituted by law on the territory of the Socialist Republic of Romania.

Means of conveyance, merchandise and other goods from all the countries with which the Socialist Republic of Romania has trade relations are admitted to the free ports and zones. Exception is made for the merchandise and other goods the importation of which is prohibited pursuant to the law or to the international conventions which the Socialist Republic of Romania is a party.

Art. 50 — The introduction of merchandise and of other goods into the free ports and zones and their taking out from such ports and zones, are subject to customs supervision, which is effected in accordance with the Customs Regulations.

Art. 51 — The goods of Romanian origin and those that have been imported may be introduced into the free ports and zones, provided the conditions and formalities stipulated for exportation or for temporary dispatch, as the case may be, have been duly fulfilled.

The goods of foreign origin to be found in the free ports and zones may be introduced into the country, provided the conditions and formalities stipulated for importation or for temporary reception, as the case may be, have been duly fulfilled.

The goods to be found in the free ports and zones may pass under customs transit over the territory of the Socialist Republic of Romania provided legal rules and regulations are observed.

CHAPTER VII

Goods Introduced into and Taken of the Country by Natural Persons

Art. 52 — Natural persons may introduce into, and take out of, the Socialist Republic of Romania only goods for personal use, and those designed for use by their family and in their household.

Natural persons are forbidden to introduce into, and take out of, the country goods for trading purposes.

Art. 53 — The goods which are introduced into the country, are taken out of it or passed under customs transit by natural persons are subject to payment of customs duties.

Art. 54 — The goods which are introduced into the Socialist Republic of Romania or are taken out of it by natural persons are subject to payment of customs duties as stipulated in the customs tariff for goods belonging to natural persons, established by the Customs Regulations.

Customs duties are levied on the customs value of the goods, wear and tear not being taken into account.

Art. 55 — Natural persons are not permitted to introduce into the country the following values and goods:

a) amounts of money in lei and securities expressed in lei, with the exception of those authorized by the law;

b) weapons, ammunition and explosive or radioactive materials, with the exception of sporting and target-firing guns, of the ammunition for such guns, and of wall-trophy weapons, which can be introduced into the country under the conditions stipulated by the law;

c) narcotic and psychotropic drugs and substances, and toxic products and substances, with

the exception of those prescribed by physicians for the person's health, under the conditions stipulated by the law;

d) traneivers, with the exception of those the possession of which is authorized by the law;

e) documents, printed matter, and recordings of any kind, which are not admitted by the law;

f) medical drugs the packing of which is not the original one, the drugs having entered the country in parcels;

g) worn articles of dress, footwear, and body linen, which have entered the country in gift parcels;

h) other goods banned by legal regulations.

Art. 56 — Natural persons are not permitted to take out of the country the following values and goods:

a) amounts of money in lei, foreign currency and securities, with the exception of those authorized by the law;

b) goods which are part of the national cultural patrimony, with the exception of those which have been authorized to be taken out of the country temporarily, pursuant to the law;

c) precious metals, precious stones and the objects made thereof, with the exception of those which can be taken out of the country, pursuant to the law;

d) weapons, ammunition, and explosive and radioactive materials, with the exception of sporting and target-firing guns, of the ammunition for such guns, and of wall-trophy weapons, which can be taken out of the country under the conditions stipulated by the law;

e) narcotic and psychotropic drugs and substances, and toxic products and substances, with the exception of those prescribed by physicians for the person's health, under the conditions stipulated by the law;

f) philatelic stamps, with the exception of those which are exchanged through the agency of authorized units or of those which are designed for international exhibitions;

g) other goods which are not admitted by legal regulations.

Art. 57 — No customs duties are paid by natural persons introducing into the country or taking out of it the following categories of goods, with observance of the provisions of the law and under the conditions established by the Customs Regulations:

a) goods for personal use, household utensils, other household goods, materials for study and documentation belonging to the natural persons who go abroad to fulfill a mission or for studies, for a long period;

b) furniture for personal use or for the family of the natural persons who go abroad to fill a permanent post or to fulfill a mission on a long term;

c) personal effects, medical drugs and other goods of current use belonging to the natural persons crossing the state frontier, to be found in the latter's luggage, whether accompanied or not;

d) the objects of art which are introduced into the country, books and other publications, sound and film recordings, and lantern slides;

e) consumer goods which are introduced into the country or are taken out by natural persons who live abroad or in the Socialist Republic of Romania, in order to fulfill a mission on a long term; or to study, as the case may be, for more than 30 days, based on agreements, contracts or other legal understandings;

f) perambulators and tricycles, with or without mortos; also prostheses for disabled persons with the approval of the public health bodies;

g) the goods that are introduced into the country after having been repaired or been replaced, within the guarantee period; returned goods erroneously dispatched;

h) goods obtained by way of prizes or official distinctions;

i) foreign goods introduced into the country which, in pursuance of the law, become state property, having been abandoned or been confiscated;

j) the goods bought in the country and paid for in foreign currency by foreign natural persons.

Art. 58 — The limits, in terms of value or quantity, of the goods that can be introduced into the country and taken out of it by natural persons free, or with payment, of customs duties, must be approved by decree of the State Council.

The time and conditions for natural persons temporarily introducing into and taking out of the country goods for personal use and those designed for use by their family and in their household, are established in the Customs Regulations.

CHAPTER VIII

Organizations of Customs Activities Competence and Responsibilities

Art. 59 — The organizational structure of customs activities is the following:

- a) The Customs General Directorate
- b) Customs-offices
- c) Customs posts.

The rules and regulations for the structure of the Customs General Directorate and the customs units are approved decree of the State Council.

Art. 60 — The Customs General Directorate operates subordinatedly to the Ministry of Foreign Trade and International Economic Cooperation and is a legal person.

Art. 61 — Customs-offices and customs posts are executive customs units and are not legal persons; they are subordinated to the Customs General Directorate.

Art. 62 — Customs clearance and the other customs operations are effected by the various

bodies of the customs units and of the Customs General Directorate.

Customs clearance is effected at the customs units as well as at the places of loading or discharge of the goods, by the nearest customs unit. Customs units can be set up in the great units turning out goods for export, at railway stations and in the economic centres where intensive export and import activities are carried on.

Art. 63 — The Customs General Directorate has the following main competences and responsibilities:

a) to organize, guide and control the operations of customs units;

b) to examine the problems relating to customs clearance of and imports in order to make suitable proposals for speeding up the clearing of goods designed for export and to enable the imported goods to enter the economic circuit without delay;

c) to see that the import customs tariff is correctly and uniformly applied;

d) to examine the customs contraventions situation and to take suitable measures to prevent and control departures from the customs regime;

e) to take measures with a view to the selection of the personnel suited to customs activities, and to improving the vocational training of the customs staff and educating them in the right spirit so that socialist legality may be applied and discipline and vigilance may be strengthened;

f) to represent state interests before courts of law in cases when customs rules and regulations have been infringed;

g) to fulfill any other duties established by law.

Art. 64 — The customs units have the following main duties and responsibilities:

a) to clear through the customs export and import merchandise within legal terms, and to apply the import customs tariff;

b) to check the means of conveyance that cross the state frontier;

c) to clear through the customs the merchandise passing in transit, and also the merchandise received or sent abroad on a temporary basis;

d) to subject to customs supervision the goods governed by the customs regime;

e) to effect customs inspections of, and levy customs duties on, the goods belonging to natural persons;

f) to penalize the departures from the customs regime;

g) other duties in the field of customs activities stipulated by the law.

Summary or administrative punishments or penal sanctions, as the case may be, are inflicted on the customs personnel guilty of infringements.

Art. 65 — The Ministry of Foreign Trade and International Economic Cooperation has the following main duties and responsibilities in implementing the customs policy of the party and of the state:

a) to analyze general problems in customs activities and take measures with a view to their constant improvement;

b) to ensure and control the enforcement of legal provisions in the field of customs;

c) to cooperate with the ministries and the other central bodies concerned with a view to taking measures ensuring operative movement of export and import goods;

d) to take action on an international scale in order to obtain customs facilities ensuring the access of Romanian goods to other markets;

e) to carry on pooling of experience with other states in customs matters;

f) to control, guide and check the activities of the customs General Directorate and of the customs units;

g) jointly with the General Statistical Board, to organize and keep track of the preparation of customs statistics;

h) to work out technical rules for work in the enforcement of the customs system;

i) to fulfill any other duties established by law.

Art. 66 — A Customs Commission shall be formed whose duty is to make proposals concerning: approvals of reduction of, and exemption from, customs duties on imported goods; determination of the lots of goods exempted from customs duties; temporary suspension, either partial or total, of customs duties levied on imported goods, in pursuance of the provisions of this Code.

The organization and operation of the Customs Commission shall be established by the Customs Regulations.

Art. 67 — The Ministries and the other central bodies, each in its particular field of activity, shall ensure the fulfilment of the assignments devolving on the subordinated units in the measures necessary to ensure observance of this Code.

Art. 68 — The Ministry of Transport and Telecommunication and the Department of Civil Aviation shall take measures with a view to creating best conditions for the unfolding of customs clearing activities at railway stations, in ports and at airports, so that import and export goods are delivered without delay.

Art. 69 — The Ministry of Home Affairs shall collaborate with the Ministry of Foreign Trade and International Economic Cooperation with a view to suitably organizing the activities carried on at the control posts for the crossing of the state frontier, and shall support customs bodies in the fulfilment of the duties devolving on them.

Art. 70 — The Council of Socialist Culture and Education and its local bodies shall collaborate with the customs bodies with a view to protecting the national cultural patrimony and

to enforcing the legal rules and regulations governing the introduction into the country and the taking out of the country of documents, printed matter and other similar materials.

CHAPTER IX

Responsibilities and Sanctions

Art. 71 — Non-observance of the rules and regulations governing the customs system entails, in pursuance of the law, summary or administrative punishment, penal or civil sanctions.

Art. 72 — The following deeds perpetrated with intent to elude the customs system constitute a contraband infringement and are penalized with two to seven years' imprisonment and partial confiscation of one's estate:

a) passing goods over the frontier at other places than those fixed for customs control, or using forged customs papers, or customs papers designed for other goods, if the value of the goods exceeds 3000 lei;

b) passing over the frontier, without any licence, weapons, ammunition, explosive or radioactive materials, narcotic or psychotropic products and substances, and toxic products and substances;

c) eluding customs operations, the goods being held by one or several persons armed or making up a gang.

An attempt is punishable as well.

If the goods which had been the object of a contraband infringement fail to be found, the person concerned is to pay the required customs duties.

Art. 73 — Should passing goods over the frontier constitute an infringement coming under the provisions of other laws, the deed is penalized under the conditions and with the sanctions stipulated in those laws.

Art. 74 — The deeds constituting administrative infringement to the customs regime, the fact-finding procedures and the penalties are established by the Customs Regulations.

CHAPTER X

Final Provisions

Art. 75 — The present Code shall come into effect 90 days from its publication in the Official Bulletin of the Socialist Republic of Romania.

On the same date the following laws shall be abrogated: Law No. 6 of 23 December 1961 on the regulation of the customs system of the Socialist Republic of Romania; Law No. 12 of 20 June 1973 on the import customs tariff of the Socialist Republic of Romania, and all other provisions to the contrary.

This law was passed by the Grand National Assembly of the Socialist Republic of Romania at its session of 22 December 1978.