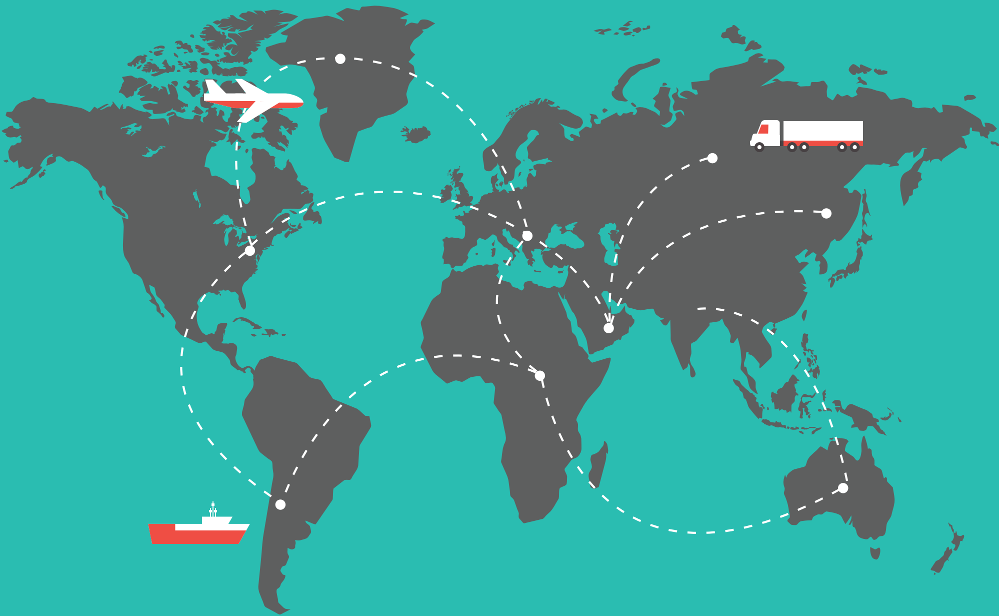
Republika e Kosovës
Republika Kosova-Republic of Kosovo
Qeveria e Kosovës-Vlada Kosova-Government of Kosova

Ministria e Tregtisë dhe Industrisë
Ministarstvo Trgovine i Industrije
Ministry of Trade and Industry

DEPARTAMENTI I TREGTISË / DEPARTAMENT TRGOVINE / DEPARTMENT OF TRADE



KOSOVO:
GUIDE FOR EXPORTING AND IMPORTING

May, 2019

This document has been produced with the financial support of the United States Agency for International Development (USAID). The views expressed herein do not necessarily reflect the views of the United States government or USAID.

CONTENTS

EXPORT & IMPORT PROCEDURES BEFORE CUSTOMS CLEARANCE

How to register your business?

Once you have decided to start a new business to do international trade transactions, you must decide on the form of the new business. New businesses in Kosovo must be registered at the Kosovo Business Registration Agency (KBRA). Business Organizations can be established and registered in Kosovo for any lawful purpose and may perform any legal activity specified in the nomenclature of activity codes. The Kosovo Business Registration Agency (KBRA) registers all new businesses, performs modifications of business data and business closures, and provides information and free forms. The following types of businesses can be registered at KBRA: Individual businesses, general partnerships, partnerships, limited liability companies, joint

“A handy platform has been created recently in order to help Kosovar businesses to get the right information regarding the import and export procedures.”

stock companies, foreign companies and agricultural cooperatives. For more information, regarding the new business, please refer to the following link: https://arbk.rks-gov.net/.

Do you qualify for Value Added Tax (VAT)?

Under applicable law, any economic entity that plans to import or export must be registered for VAT. Application for obtaining a VAT Certificate can be made at the offices of the Kosovo Tax Administration. In order to get more familiar with this issue, please consult the following website:
http://www.atk-ks.org/.

Applicable licenses, fees and charges for import, export and transit of goods in Kosovo

A handy platform has been created recently in order to help Kosovar businesses to get the right information regarding the import and export procedures. In so doing, please see the following link:
http://itg-rks.com/?lang=en.

However, under the Government of the Republic of Kosovo, there are 11 different Ministries, Agencies issuing different licenses, applying fees and charges on import, export and transit of goods in Kosovo.

- Ministry of Trade and Industry - Trade Department;
- Ministry of Trade and Industry - Department of Market Regulation of the Oil;
- Ministry of Trade and Industry - Department of Controlling, Trading on Strategic Goods;
- Ministry of Internal Affairs - Department of Public Safety;
- Kosovo Customs - Excise Department;
- Food and Veterinary Agency;
- Kosovo Agency for medical products and equipment;
- Ministry of Agriculture, Forestry and Rural Development;
- Ministry of Infrastructure Land - Transport Department;
- Ministry of Environment and Spatial Planning;
- Kosovo Agency for Radiation Protection and Nuclear Safety

Have you registered with customs?

After submitting a certificate of business and VAT, an economic entity should request from Kosovo customs to activate their data in the electronic system of the Kosovo Customs ASYCUDA World.

EXPORT CUSTOMS PROCEDURES

Have you declared your export and lodged with it Kosovo Customs?

A “customs procedure” is the legal action to effect the release of goods from “customs control”. Customs control refers to the measures applied to ensure compliance with the laws and regulations of the Republic of Kosovo, about the importation, exportation or transit of goods. Regardless of the customs procedure that a trader wishes to apply to a shipment, a customs goods declaration is required to be completed by an importer or exporter (or a duly authorized representative) and lodged with Kosovo Customs for a shipment to be released from customs control. It is worth noting that in preparing a customs goods declaration, the trader must first determine and declare which customs procedure is to be declared for further treatment of the goods. Examples of customs procedures, which may be applied to

"Release for export will be granted by Customs on the condition that the goods in question leave Kosovo in the same condition as when the export declaration was lodged and accepted."

a shipment of goods, include, among others, importation, exportation, transit, temporary importation, warehousing, trans-shipment, re-exportation, duty drawback, and inward processing.

How to declare export?

Export declarations may be lodged at the customs office responsible for supervising the place where the exporter is established, or the customs office where the goods are packed or loaded for export shipment. Release for export will be granted by Customs on the condition that the goods in question leave Kosovo in the same condition as when the export declaration was lodged and accepted. The exporter is considered to be the person on whose behalf the export declaration is made and who is the owner of the goods or has a similar right of disposal over them at the time when the declaration is lodged with Customs. Where ownership or a similar right of disposal over the goods belong to a person established outside Kosovo under the contract on which the export is based, the exporter will be considered to be the contracting party established in Kosovo.

More information about declaring exports

Where export formalities are not for any reason completed at the customs office responsible for supervising the place where the exporter is established or where the goods are packed or loaded for export shipment, the customs office where the export declaration has been lodged will send a copy of the Single Administrative Document (SAD) to the first mentioned Customs office. Where the export declaration is made based on the SAD, copies 1, 2 and 3 will be used. The customs office where the export declaration has been lodged (customs office of export) will stamp Box A and, where appropriate, complete Box D. On granting release of the goods, it will retain copies 1 and 2 and return copy 3 to the person concerned. Copy 3 of the SAD and the goods released for export will be presented to Customs at the customs office of exit. The customs office of exit means in the case of goods exported by:

(a) Rail, post or air, the customs office competent for the place where the goods are taken over under a single transport contract for transport to another country by the railway companies, the postal authorities or the airline's companies.

(b) Pipeline and of electrical energy, the office where the exporter is established.

(c) Other means or in the circumstances not covered by (a) and (b), the last customs office before the goods leave Kosovo.

The customs office of export may ask the exporter to provide evidence that the goods have left Kosovo. It is worth noting that oral declarations may be made only at the customs office of exit. In this case, where goods leave Kosovo without an export declaration, such declaration must be lodged retrospectively by the exporter at the customs office competent for the place where he is established. Acceptance of this declaration will be subject to the presentation by the exporter, to the satisfaction of the customs office concerned, of evidence concerning the nature and quantity of the goods in question and the circumstances under which they left Kosovo. That office will also endorse copy 3 of the SAD. Retrospective acceptance of the declaration will not preclude the application of any applicable penalties.

Where goods released for export do not leave Kosovo, the exporter will immediately inform the customs office of export. Copy 3 of the SAD in question will be returned to that office.

Where a change in the transport contract has the effect of terminating inside Kosovo a transport operation which should have finished outside it, the companies or authorities in question may only carry out the amended contract with the agreement of the customs office of exit, in the case of a transit operation, the office of departure. In this case copy, 3 should be returned.

Have you obtained:

- Unique customs declaration / single administrative document
- A commercial invoice
- EUR 1 / certificate of origin
- CMR

The ASYCUDA World IT system used by Customs has a functionality called "export release" through which the customs officer at the border control post of exit will confirm that goods have left the territory of Kosovo. A more sophisticated approach is also supported by the ASYCUDA system, which consists in using the T1 procedure (and guaranty accounts), to cover the movement of goods (declared for export) from a customs terminal to the border control post of exit. In this case, the T1 is generated automatically from the assessed export declaration and must be closed at the border control post-exit. Even in this case, the "Export Release" operation is then performed by Customs.

"It is worth noting that oral declarations may be made only at the customs office of exit."

IMPORT CUSTOMS PROCEDURES

Have you declared your imports?

A "customs procedure" is the legal action to effect the release of goods from "customs control". Customs control refers to the measures applied to ensure compliance with the laws and regulations of the Republic of Kosovo, about the importation, exportation or transit of goods. Regardless of the Customs procedure that a trader wishes to apply to a shipment, a customs goods declaration is required to be completed by an importer or exporter (or a duly authorized representative) and lodged with Kosovo Customs in order for a shipment to be released from customs control. In preparing a customs goods declaration, the trader must first determine and declare which customs procedure is to be declared for further treatment of the goods. Examples of customs procedures, which may be applied to a shipment of goods, include, among others, importation, exportation, transit, temporary importation, warehousing, trans-shipment, re-exportation, duty drawback, and inward processing.

Have you obtained:

- Unique customs declaration / Single Administrative Document
- A commercial invoice
- EUR 1 / Certificate of Origin
- CMR

Commercial Invoices

The information provided in this section applies to commercial invoices that are prepared in connection with both import and export transactions. Better information on import or export invoices will facilitate faster cargo clearances in the country of destination. The better the information provided on commercial invoices, the faster customs officers will be able to verify the declared data, and the faster shipments will be cleared and released.

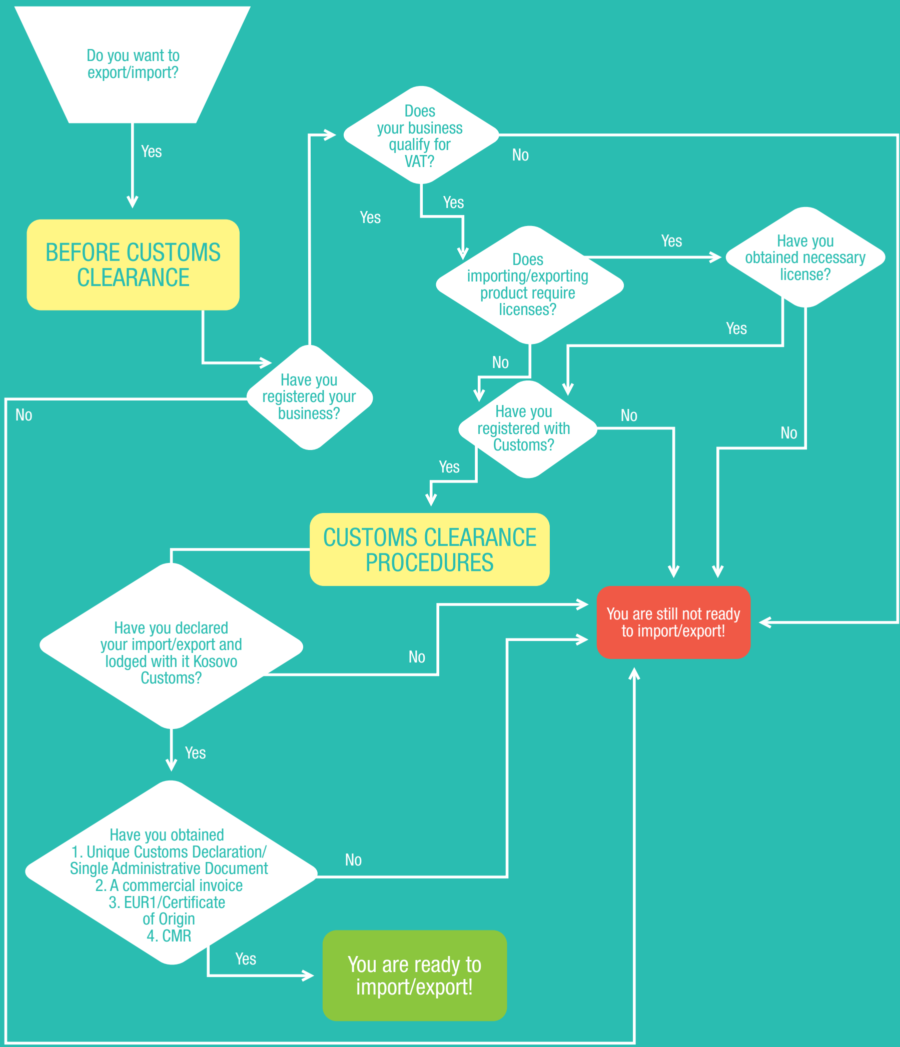
Detailed Guidelines for Importers, Exporters and Customs Brokers

It is the responsibility of traders or their representatives to prepare complete and accurate single administrative document (SAD) for the clearance of all shipments, whether under import, export, transit, warehousing or other customs procedures. One of the requirements for lodging an acceptable declaration is the inclusion of one copy of a commercial invoice and certificate of origin, in addition to any required permits, licenses or certificates which pertain to the goods. The commercial invoice must provide an accurate and complete description of the goods and provide certain basic information pertaining to those goods. The invoice must also provide the truthful and complete price paid or payable for each type of good listed on the invoice. The failure to provide proper commercial invoices, which adequately describe the goods, when a customs declaration is lodged, may result in the immediate rejection. In any case, the processing and approval of a declaration without a proper invoice, or inadequate or incomplete invoice information may lead to overpayments of import duty, VAT, and if applicable excise tax. In order for Customs to provide good service in the clearance of imported or exported goods, it is essential for each declarant to ensure that the invoice(s) submitted with the SAD precisely describe the goods covered under the transaction. The invoice description must be sufficiently detailed for a customs officer to be able to correctly classify the goods following the nomenclature of the Harmonized System Customs Tariff. If invoice information and commodity descriptions are not provided in sufficient detail, the processing of the customs declaration can be delayed, which of course results in extra time and cost in doing business. Finally, invoices must be sufficiently legible to permit customs officials to carry out their processing and verification functions. For instance, this is not a problem with electronically submitted invoices.

"If invoice information and commodity descriptions are not provided in sufficient detail, the processing of the customs declaration can be delayed."

The minimum information required on a commercial invoice includes the following:

- Name of the Vendor (supplier, shipper) in a foreign country.
- Exporter's Name, if different from the Vendor.
- Name of Consignee in Kosovo.
- Purchaser's Name, if different from the consignee.
- Purchase Order Number, if applicable.
- Date of Direct Shipment to Kosovo.
- Country of Transshipment, if applicable.
- Country of Origin (where the goods were grown, produced or manufactured; if the shipment includes goods of different origin, the origin should be given with the narrative description for each type of good in the shipment, as indicated under 14, below).
- Transportation – indicate the mode of transport and place of direct shipment to Kosovo.
- Conditions of Sale.
- Terms of Payment (for example "sale", "consignment", "lease", "loan" and Net 30 Days, etc.).
- The currency of Settlement.
- Number of Packages.
- Description of the Goods (including Kind of Packages, Marks and Numbers, Characteristics, Grade, Quality, HS six-digit number) *.
- Quantity and Unit of Measure.
- Total Weight (Net and Gross).
- Unit Values.
- Invoice Total (FOB – in Currency of Settlement).
- Price Statement (in cases when a Royalty or other Payment(s) or subsequent proceed(s) are paid or payable by the purchaser in Kosovo for these goods).


Do you want to export/import?
Yes
BEFORE CUSTOMS CLEARANCE
Have you registered your business?
No
Yes
Does your business qualify for VAT?
No
Yes
Does importing/exporting product require licenses?
Yes
Have you obtained necessary license?
Yes
No
No
Have you registered with Customs?
No
Yes
CUSTOMS CLEARANCE PROCEDURES
You are still not ready to import/export!
Have you declared your import/export and lodged with it Kosovo Customs?
No
Yes
Have you obtained
1. Unique Customs Declaration/ Single Administrative Document
2. A commercial invoice
3. EUR1/Certificate of Origin
4. CMR
No
Yes
You are ready to import/export!

HOW YOU CAN CONTACT US?

The Trade Department is located at the premises of the Ministry of Trade and Industry.

Address: Hospital Neighborhood,
Str. “Muharrem Fejza” Office: 112 A,
10000 Pristina, Republic of Kosovo.

The Trade Department can also be contacted
via e-mail: tregtia@rks-gov.net;
or phone numbers: +383 (0) 38 200 36 623;
+383 (0) 38 200 36 624; +383 (0) 38 200 36 519.