

**No. 54407\***

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**Argentina  
and  
Georgia**

**Agreement between the Government of the Argentine Republic and the Government of Georgia on mutual administrative assistance in customs matters. Buenos Aires, 23 June 2015**

**Entry into force:** *7 September 2015 by notification, in accordance with article 31*

**Authentic texts:** *English, Georgian and Spanish*

**Registration with the Secretariat of the United Nations:** *Argentina, 9 March 2017*

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**Argentine  
et  
Géorgie**

**Accord entre le Gouvernement de la République argentine et le Gouvernement de la Géorgie relatif à l'assistance administrative mutuelle en matière douanière. Buenos Aires, 23 juin 2015**

**Entrée en vigueur :** *7 septembre 2015 par notification, conformément à l'article 31*

**Textes authentiques :** *anglais, géorgien et espagnol*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Argentine, 9 mars 2017*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT  
BETWEEN  
THE GOVERNMENT OF THE ARGENTINE REPUBLIC  
AND  
THE GOVERNMENT OF GEORGIA  
ON MUTUAL ADMINISTRATIVE ASSISTANCE  
IN CUSTOMS MATTERS**

The Government of the Argentine Republic and the Government of Georgia, hereafter referred to as the "Parties",

**CONSIDERING** the importance of accurate assessment of Customs duties and ensuring proper enforcement by their Customs administrations of prohibitions, restrictions and measures of control in respect of specific goods;

**CONSIDERING** that offences against Customs law are prejudicial to the security of the Parties and their economic, commercial, fiscal, social, public health and cultural interests;

**RECOGNIZING** the need for international co-operation in matters related to the application and enforcement of their Customs laws;

**CONVINCED** that action against Customs offences can be made more effective by close co-operation between their Customs administrations based on mutually agreed legal provisions;

Have agreed as follows :

**Article 1  
Definitions**

For the purposes of this Agreement:

- a) "Customs administration" shall mean:
- for the Argentine Republic: the Federal Administration of Public Revenues;
  - for Georgia: Legal Entity of Public Law under the Ministry of Finance of Georgia – "Revenue Service" and Investigation Service of the Ministry of Finance of Georgia;

- b) "Customs claim" shall mean any amount of Customs duties that cannot be collected in one of the Parties;
- c) "Customs duties" shall mean all duties, taxes, fees or any other charges which are levied in the territories of the Parties in application of Customs law, with the exception for fees and charges for services rendered;
- d) "Customs law" shall mean any legal and administrative acts applicable or enforceable by either Customs Administration in connection with the importation, exportation, transshipment, transit, storage and movement of goods, including legal and administrative provisions relating to measures of prohibition, restriction, and control, and in connection with combating money laundering;
- e) "Customs offence" shall mean any violation of Customs law;
- f) "information" shall mean any data, whether or not processed or analyzed, and documents, reports and other communications in any format, including electronic, or certified or authenticated copies thereof;
- g) "international trade supply chain" shall mean all processes involved in the cross-border movement of goods from the place of origin to the place of final destination;
- h) "official" shall mean any Customs officer or other government agent designated to apply Customs law;
- i) "person" shall mean both natural and legal persons, unless the context otherwise requires;
- j) "personal data" shall mean any data concerning an identified or identifiable natural person;
- k) "requested administration" shall mean the Customs Administration from which assistance is requested;
- l) "requesting administration" shall mean the Customs Administration which requests assistance;
- m) "requesting Party" shall mean the Party whose Customs Administration requests assistance;
- n) "requested Party" shall mean the Party whose Customs Administration is requested to provide assistance.

## **Article 2**

### **Scope of the Agreement**

1. The Parties shall, through their Customs Administrations, provide each other with administrative assistance under the terms set out in this Agreement, for the proper application of Customs law, for the prevention, investigation and combating of Customs offences and to ensure the security of the international trade supply chain.

2. All assistance under this Agreement by either Party shall be provided in accordance with its national legislation and within the limits of its Customs Administration's competence and available resources.

3. This Agreement covers mutual administrative assistance between the Parties and is not intended to have an impact on mutual legal assistance agreements between them. If mutual assistance is to be provided by other authorities of the requested Party, the requested administration shall indicate those authorities and where known the relevant agreement or arrangement applicable.

4. The provisions of this Agreement shall not give rise to a right on the part of any person to impede the execution of a request for assistance.

### **Article 3**

#### **Information for the Application and Enforcement of Customs Law**

1. The Parties shall provide each other, either on request or on their own initiative, with information which helps to ensure the proper application of Customs law, the prevention, investigation and combating of Customs offences and the security of the international trade supply chain. Such information may relate to:

- (a) significant changes in their respective Customs laws;
- (b) new law enforcement techniques having proved their effectiveness;
- (c) new trends, means or methods of committing Customs offences;
- (d) goods known to be the subject of Customs offences, as well as transport and storage methods used in respect of those goods;
- (e) persons known to have committed or are suspected to have committed a Customs offence;
- (f) any other data and statistical information that can assist Customs Administrations with risk assessment for control and facilitation purposes.

2. On request, the requested administration shall provide the requesting administration with information on:

- (a) whether goods imported into the territory of the requesting Party have been lawfully exported from the territory of the requested Party;
- (b) whether goods exported from the territory of the requesting Party have been lawfully imported into the territory of the requested Party, and the Customs procedure, if any, under which the goods have been placed.

**Article 4**  
**Information for the Assessment of Customs Duties**

1. On request, the requested administration shall, without prejudice to Article 24, in support of the proper application of Customs law and of the prevention of Customs fraud, provide information to assist the requesting administration that has reasons to doubt the truth or accuracy of a declaration.
2. The request shall specify the verification procedures that the requesting administration has undertaken or attempted and the specific information requested.

**Article 5**  
**Information Relating to Customs Offences**

Either Customs Administration shall, on request or on its own initiative, provide the Customs Administration of the other Party with information on activities, planned, ongoing, or completed which present reasonable grounds to believe that a Customs offence has been committed or will be committed in the territory of the other Party.

**Article 6**  
**Automatic Exchange of Information**

The Customs Administrations may, by mutual arrangement in accordance with Article 26, exchange any information covered by this Agreement on an automatic basis.

**Article 7**  
**Advance Exchange of Information**

The Customs Administrations may, by mutual arrangement in accordance with Article 26, exchange specific information in advance of the arrival of consignments in the territory of the other Party.

**Article 8**  
**Notification**

1. On request, the requested administration shall take all necessary measures to notify a Person, residing or established in the territory of the requested Party, of all decisions taken by the requesting administration in application of Customs law concerning that person, that fall within the scope of this Agreement.