

Information for participants 41st session of the World Heritage Committee on restrictions of import and export

As a Member State of the European Union in Poland there applied the relevant EU provisions on import and export of goods¹. The customs formalities and, in the case of import, customs duties are applied only to goods imported from or exported to non-EU countries. Thus, in the case of import or export, it is necessary to present goods to Customs in order to assign them the appropriate customs procedure. Customs legislation allows many facilitations depending on the type of goods, the purpose of import or export and the declarant, for example, the exemption from import duties is possible for certain goods brought from non- EU countries². You should also pay attention to the existing prohibitions and restrictions on import and export of certain goods.

I. Limits for reliefs from customs and tax duties on value of goods brought by travellers in their personal luggage.

The importation of **goods in the personal luggage** of travellers arriving in the territory of the European Union from third countries is admitted free of customs and tax duties according to the following norms:

- in the case of **air and sea** travellers – up to a total value of **EUR 430**;
- in the case of other than air and sea travellers (e.g. **land or rail** transport) – up to a total value of **EUR 300**;

It should be noted that the above mentioned limits do not include the value of:

- a) the personal luggage of a traveller which is imported temporarily or is re-imported following its temporary export;
- b) medicinal products required for personal use of travellers;
- c) tobacco and tobacco products, alcohol and alcoholic beverages brought by a traveller over 17 years old.

Limits for reliefs from customs and tax duties on quantity for alcohol and alcoholic beverages and tobacco and tobacco products.

1) Tobacco and tobacco products in the case of air and sea travellers:

- a) 200 cigarettes or

¹ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02013R0952-20131030>

Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code

<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32015R2447>

² Council Regulation (EC) No 1186/2009 of 16 November 2009 setting up a Community system of reliefs from customs duty *Dz.U. L 324 z 10.12.2009, str. 23–57*

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009R1186&qid=1489656268305>

- b) 100 cigarillos (cigars of a maximum weight of three grams each) or
- c) 50 cigars or
- d) 250 g smoking tobacco

2) Tobacco and tobacco products in the case of other than air and sea travellers (e.g. land or rail transport):

- a) 40 cigarettes or
- b) 20 cigarillos (cigars of a maximum weight of three grams each) or
- c) 10 cigars or
- d) 50 g smoking tobacco

Each amount specified in points a) to d) shall represent 100 % of total allowance for tobacco products. The exemption may be applied to any combination of tobacco products, provided that the aggregate of the percentages used up from the individual allowances does not exceed 100%.

3) Alcohol and alcohol beverages:

- a) a total of **1 litre** of alcoholic beverages of an alcoholic strength exceeding 22 % vol, or undenatured ethyl alcohol of 80 % vol and over;
- b) a total of **2 litres** of alcohol and alcoholic beverages of an alcoholic strength not exceeding 22 % vol.
- c) a total of 4 litres of still wine; and
- d) a total of 16 litres of beer.

The exemption may be applied to any combination of the types of alcohol and alcoholic beverage referred in points a) and b) provided that the aggregate of percentage used up from the individual allowances does not exceed 100 %. In addition, relieved from customs and tax duties are wine and beer referred in points c) and d).

II. Currency.

Persons crossing the state border are required to report in writing to customs authorities or Border Guard import and export of foreign exchange gold or platinum, regardless of the amount, as well as domestic or foreign currencies, if their value is equal to or exceeds the total of the equivalent of 10,000 euros, with the exception of travelers crossing internal borders with other Member States belonging to the Schengen area.

III. Gifts received in the context of international relations and goods to be used by monarchs or Head of State.

Shall be admitted free of import duties goods imported by the persons coming to pay an official visit and who intend to offer them on that occasion as gifts to the host authorities. No relief shall be granted for alcoholic products, tobacco or tobacco products.

Shall be admitted free of import duties also goods to reigning monarchs and Heads of State; goods to be used or consumed by reigning monarchs and Head of State of third countries, or persons officially representing them, during their official stay in the customs territory of the UE.

Applicable relief shall be granted also to persons enjoying prerogatives at international level analogous to those enjoyed by reigning monarchs or Heads of State.

IV. Restrictions on the import and export of goods.

1) Food

The introduction into the European Union of personal consignments of products of animal origin (meat products and milk products) is subject to very strict restrictions. Travelers importing meat and milk products will have to leave them in special containers located at the border. Food of non-animal origin is exempted from the obligation to undergo border sanitary control if it is imported in quantities indicating the non-commercial nature of these imports.

2) Medicinal products.

A person arriving in Poland (both from an EU or a non-EU country) may bring, without a relevant permit of the Minister of Health, up to 5 smallest packages of a medicinal product.

3) Narcotic drugs or psychotropic substances.

Import and export of narcotic drugs or psychotropic substances is forbidden.

For their personal use persons arriving in Poland may bring narcotic drugs or psychotropic substances necessary for their treatment, under condition that in the case of control they present a certificate issued or authenticated by a competent authority of their state of residence.

4) Pets accompanying travellers.

Pets accompanying travellers (only dogs, cats and ferrets) in order to enter into the territory of the Republic of Poland from other EU countries must:

- be identified by an electronic identification system (transponder/chip),
- be vaccinated against rabies,
- have a pet passport.

Other domestic animals (reptiles, amphibians and rodents) do not have to meet the requirements concerning rabies, but they must have a health certificate and an import permission issued by the Chief Veterinary Officer.

Detailed information on the conditions that must be met by live animals imported by travellers (dogs, cats, reptiles, amphibians, rodents, birds, invertebrates) can be obtained from the internet website of the Chief Veterinary Inspectorate at: <http://www.wetgiw.gov.pl> and http://www.wetgiw.gov.pl/files/3045_Requirements_for_import_of_dogs_cats_and_ferrets.pdf.

5) Plants.

Without border phytosanitary inspection it is permitted to import into Poland:

	Plants and plant products permissible	amount
1	Fresh fruits	5 kg
2	Fresh vegetables, with the exception of tubers of <i>Solanum tuberosum</i> L.	5 kg
3	Cut ornamental plants	50 pcs.
4	Cut tree decorations	1 pc.
5	Parts of conifers	5 pcs.

6) Arms.

Import and export of arms and ammunition by foreigners may take place on the basis of:

- a) a certificate issued by a Consul of the Republic of Poland. The certificate substitutes an arms license for the period of 30 days (from the day of the import of arms and ammunition),
- b) **a European Firearms Pass** (by foreigners who are citizens of the EU Member States) issued by an EU Member State

Import and export of weapons should be reported to the customs authorities.

Weapons may be imported by:

- foreigners who are members of diplomatic missions and consular posts and persons equated to them under international agreements for the following purposes: personal protection, hunting, sports, collectibles, memorabilia;
- foreigners protecting diplomatic missions, consular offices, etc .;
- other foreigners may import and export weapons and ammunition for hunting purposes, for sports purposes or historical reconstruction, flare weapons on the condition that they are elements of vessels and aircrafts.

7) Protection of endangered species of animals and plants (CITES)

According to the Convention on International Trade in Endangered Species of Fauna and Flora (the CITES Convention), import to the EU and export from the EU of specimens protected is permitted only under certain conditions and requires import and export permits. Control of specimens and documentation is carried out by the customs authorities during customs border control. A person importing or exporting a CITES specimen is obliged to declare this fact and present the specimen accompanied by relevant documents to the customs authorities. Documents enabling movement of CITES specimen are issued by competent national CITES authorities.

Specimens endangered with extinction will be, for example:

- live birds, boa constrictors;
- stuffed specimens of endangered species;
- articles made of skins of snakes, crocodiles;
- furs, hats and other articles made of wild cats, wolves;
- corals and articles made of corals;
- certain shells;
- skins of wolves, bears, wild cats;
- preparations of Traditional Chinese Medicine, such as balms, ointments, patches, pills which contain derivatives of species endangered with extinction.

Detailed information can be obtained from the Ministry of Environment (the Department of Nature Conservation). www.mos.gov.pl.

Imports in travelers' personal luggage into the European Union of specimens, which do not require any documents (excluding mail consignments!):

- caviar of sturgeon species - up to 125 g per person in an individually marked package (one-time streamer);
- "Rainsticks" - a musical instrument made from a simple piece of dried stalks of cactus - up to 3 pcs. per person;
- Processed specimens of Crocodylia spp. or products (handbags, shoes, belts, etc), - up to 4 pcs. per person (note - this derogation is not applied to imports of specimens of Annex A – i.e. the most vulnerable ones, meat and hunting trophies);
- *Strombus gigas* shells - up to 3 pcs. per person;
- Seahorses - up to 4 dead specimens per person;
- shells of *Tridacne* , up to three per person a total of not more than 3 kg. As a specimen is to be understood 3 mismatched halves (halves of 3 different individuals) or complete shells consisting of two matching halves (3 pcs. of complete shells)

8) arts and antiquities

The following categories of arts and antiquities require a single licence for permanent export:

L.p.	categories of arts and antiquities	Age exceeding	Value exceeding
1.	archaeological objects	100 years	Value unlimited
2.	elements forming an integral part of monuments of architecture, interior decoration, statues, and craftworks	100 years	Value unlimited
3.	paintings,	50 years	40 000 PLN

4.	water-colours, gouaches and pastels	50 years	16 000 PLN
5.	mosaics and drawings	50 years	12 000 PLN
6.	engravings with their respective plates and original posters	50 years	16 000 PLN
7.	sculptures or statuary	50 years	20 000 PLN
8.	photographs, films and negatives	50 years	6 000 PLN
9.	manuscripts, singly or in collections	50 years	4 000 PLN
10.	books, singly or in collections	100 years	6 000 PLN
11.	printed maps and music	150 years	6000 PLN
12.	collections and specimens from zoological, botanical, mineralogical or anatomical collections	Unlimited	16 000 PLN
13.	collections of historical, paleontological, ethnographic or numismatic interest	Unlimited	16 000 PLN
14.	means of transport	50 years	32 000 PLN
15.	any other antique items not included in points 1-14,	50 years	16 000 PLN

If the export of arts and antiquities takes place without a license and the characteristics of the object indicate that their export requires a license, the customs authority or the Border Guard the may request from the person exporting such an object to present a document which confirms the fact that it does not require a license to be exported. (**an assessment** indicating the creation time, **an appraisal** of the object done, **an invoice** issued by an economic subject specialised in trading in arts and antiquities).

According to the Polish law, import of arts and antiquities does not require a license. Though, in the case of import from non-EU states, the object must be declared to the customs in order to place the object under the procedure of release for free circulation or under other customs procedure. It is also necessary to take into consideration restrictions on export of arts and antiquities applicable in the state from which the object is exported.

Detailed information can be obtained from the Ministry of Culture and National Heritage at: <http://www.mkidn.gov.pl> National Institute of Museology and Collections Protection at: <http://www.nimoz.pl>.

V. The temporary admission procedure.

Personal effects imported by travelers into the customs territory of the Union may be covered by the temporary admission procedure with full exemption from customs duties. The customs authority grants permission for the entry of goods for the procedure, if they are imported for a

specific purpose, and after using them as intended to be exported in time, which justifies their use. Goods cannot be subjected to any change, except normal depreciation caused by usage. At the time of placing the goods under the temporary admission procedure with full exemption from customs duties does not arise obligation to pay import duties. The duties are suspended, but the customs authority in certain cases, requests to provide security for the payment of import duties and taxes that may arise. The security shall be returned in the case of re-export from the customs territory of the Union.

Customs legislation indicate specifically what goods may be subject to total exemption from customs duties. These include personal effects and goods for sports purposes imported by travelers. Such goods may be declared for temporary admission in another form, i.e. in a simplified manner, without documents and formalities, a declaration is made by simply crossing the border or in oral form (with paper list of goods). In both cases, the security is not required.