

APPROVED
by the Order № 431 of the President of the
Republic of Azerbaijan, dated on 27 August, 2018

REGULATION

On Commission for Business Enabling Environment and International Rankings

1. General Provisions

1.1. This Regulation shall govern the performance of the Commission on Business Enabling Environment and International Rankings (hereinafter referred to as the Commission) established under the Order No. 2199 of the President of the Republic of Azerbaijan dated July 13, 2016 "On Additional Measures to Increase Conducive Business Environment in the Republic of Azerbaijan and Further improve Country's Position in International Rankings".

1.2. The Commission shall be a collegial body involved in the improvement of legislation and administrative system and development and implementation of proposals on other necessary measures in order to create a conducive business environment that facilitates optimal cost- effectiveness of businesses based on competitiveness principles, to increase investment enabling environment and further improve Azerbaijan's position in the international rankings.

1.3. The Commission's activities shall be guided by the Constitution of the Republic of Azerbaijan, laws of the Republic of Azerbaijan, decrees and orders of the President of the Republic of Azerbaijan, resolutions and orders of the Cabinet of Ministers of the Republic of Azerbaijan, international treaties to which the Republic of Azerbaijan is a party and this Regulation.

1.4. The Commission shall act in cooperation with central executive authorities, international organizations, local self-governance bodies and other organizations when performing its duties and exercising its rights under this Regulation.

2. Duties of the Commission

2.1. The duties of the Commission shall include the followings:

2.1.1. Offer proposals aimed at increasing business and investment enabling environment and achieving best regulatory and law enforcement practices in this field;

2.1.2. analyze the current state of the competitive environment in the country, provide proposals on improvement of public policy in developing and promoting conducive competitive environment that facilitates the development and promotion of the business and increase its competitiveness;

2.1.3. Provide proposals for strengthening the sustainability of business by expanding the scope of economic instruments, which contribute to the creation of conducive encouraging environment;

2.1.4. Provide proposals on speeding up the worldwide integration process and further improving Azerbaijan's position in prominent international rankings;

2.1.5. offer proposals for further improving the legislative framework governing the economic relations;

2.1.6. Coordinate the activities of government authorities and agencies to increase conducive business environment in the Republic of Azerbaijan and further improve the position of our country in international rankings;

2.1.7. Monitor the implementation of the instructions issued by President to the Commission and report on the performance results.

3. Rights of the Commission

3.1. The Commission shall have the following rights to perform its duties:

3.1.1. Develop programs and projects aimed at addressing the issues associated with improvement of business enabling environment and of Azerbaijan's position at international rankings, involve local and foreign experts, specialists, as well as representatives of international organizations and research institutions, various public agencies and other stakeholders and cooperate with them to develop and implement such programs and projects;

3.1.2. hold meetings with businesses and their representatives, arrange such meetings and carry out discussions;

3.1.3. Create, arrange and coordinate working groups and subgroups composed of the representatives of respective government authorities and agencies, public legal entities, non-governmental organizations, experts and independent specialists from enterprises and organizations;

3.1.4. Submit inquiries to and obtain necessary information (documents) from public and local self-government bodies, physical and legal entities within the sphere of their activities;

3.1.5. Make decisions on the execution of the duties defined by this Regulation;

3.1.6. Make suggestions to improve the performance of the Commission;

3.1.7. Submit funding applications as required to involve local and foreign experts and specialists into the activities of the Commission and to implement various actions and programs.

4. Organization of Commission's activities

4.1. The Regulation and composition of the Commission shall be approved by the President of the Republic of Azerbaijan.

4.2. The Commission's activities shall be chaired by its chairperson.

4.3. The Commission chairperson shall have the following obligations:

4.3.1. Determine current and prospective area of focus of the Commission's activities, approve the implementation program and ensure its implementation;

4.3.2. Identify issues raised on the agenda of the Commission's sessions;

4.3.3. Sign decisions, necessary instructions, letters and other documents concerning the Commission's activities;

4.3.4. Establish appropriate working groups and subgroups in respect with the Commission's activities;

4.3.5. Review and submit appropriately the proposals (projects, programs, etc.) to the Commission and approve guidelines governing the performance of the Commission Secretariat, working groups and subgroups;

4.3.6. Perform other duties as regards the organization of the Commission's activities.

4.4. The Commission member shall have the following rights and obligations:

4.4.1. Attend the Commission's sessions and activities;

4.4.2. Make proposals on the agenda of the Commission sessions, as well as the items included into the agenda;

4.4.3. become familiar with the draft of documents, provide commentary and proposals;

4.4.4. report and speak at meetings, take part in the discussions;

4.4.5. perform other works related to the Commission's activity.

4.5. Commission Secretariat shall be established to set up the current activities of the Commission. Members of the Commission's Secretariat shall be formed on the basis of the proposals of the head of Secretariat from the appropriate representatives of relevant public bodies and institutions, public legal entities, non-governmental organizations.

4.6. The chairman of the Commission shall approve, on the basis of the proposals of the Secretariat, the composition of the working groups on various directions, as well as members responsible for various directions within these working groups, the instructions on the Secretariat's activities and other documents.

4.7. The Commission Secretariat:

4.7.1. Shall submit the chairperson of the Commission the proposals on establishing working groups and subgroups composed of the representatives of the relevant public authorities bodies and institutions, public legal entities, non-governmental organizations, experts from enterprises and organizations and independent experts;

4.7.2. Shall raise the issue of replacement of the member of the working group before the body, enterprise and organization he/she represents should that member failed to attend the working group meetings more than three times consecutively;

4.7.3. Shall raise the issue of replacement of the member of the subgroups, established under the working group for relevant directions, before the body, enterprise and organization he/she represents should that person failed to attend the work of the subgroup due to any reasons and perform the relevant instructions in due time;

4.7.4. Shall Prepare drafts of the annual action plans of the Commission and working groups, issues to be reviewed at the meetings of the Commission and working groups;

4.7.5. Shall develop and discuss the drafts of reforms and normative legal acts on various economic activities with the participation of members of the working groups or subgroups;

4.7.6. Put the issues related to the Commission's competences on the agenda of the meetings of the Commission, as well as the working groups or subgroups for consideration;

4.7.7. Shall receive information, commentary and suggestions on issues under consideration from respective government bodies, enterprises and organizations irrespective of the form of ownership and organizational- legal structure;

4.7.8. Shall organize and coordinate the activities of the working groups and subgroups of the Commission;

4.7.9. Shall carry out clerical work of the Commission, compile the minutes of meetings and submit the drafts of final documents to the Chairman of the Commission;

4.7.10. Shall take the necessary measures to implement the decisions taken and projects developed by the Commission;

4.7.11. Shall undertake monitoring of the planned measures in order to implement the projects and proposals developed by the Commission, prepare reports to submit the results of such monitoring appropriately, and should any faults are discovered, make recommendations on their elimination by duly notifying the Chairperson of the Commission;

4.7.12. Shall carry out monitoring of the implementation of instructions given by the President of the Republic of Azerbaijan to the Commission, and ensure that necessary analyses and consolidations are done upon the receipt of reports on taken actions and other necessary information ;

4.7.13. Shall take the necessary measures to maintain the Internet portal related to the Commission's activities and ensure flexibility in provision of necessary information for this portal;

4.7.14. shall perform other duties related to the arrangement of the Commission's activities.

4.8. The meetings of the Commission shall be held as follows:

4.8.1. Meetings of the Commission shall be deemed valid when two-thirds of its members are present;

4.8.2. Meetings of the Commission shall be held with no less than twice a year, the agenda items shall be determined under the work plan approved by the chairperson. Extraordinary sessions of the Commission might be summoned by the requirement of the chairperson or at least by no less than one-third of the members. The Secretariat shall inform its members on changes to meeting agenda, as well as agenda of extraordinary meetings at least 5 days before the date of the meeting;

4.8.3. The decisions of the Commission shall be taken at the meetings by a simple majority vote. Where the votes are equal, the vote of the chairperson shall be deemed decisive;

4.8.4. Should any member of the Commission disagree with the adopted decision, the special commentary of that member shall necessarily be added to the minutes of the meeting;

4.8.5. Decisions made at the meetings of the Commission shall be documented with a protocol signed by the Chairperson and members of the Commission;

4.8.6. The Regulations of each meeting of the Commission shall be determined, depending on the issue of interest, by the chairperson with due consideration of the views of the Commission members.

4.9. Experts and consultants invited to meetings of the Commission shall only have the right to offer proposals and provide commentary on respective issues. Conflict

of interests in issues under consideration shall not permitted for experts and consultants invited to the meetings.

4.10. The Chairperson of the Commission or the Secretariat, upon the consent of the chairperson, shall publicize information on issues reviewed and decisions made at the Commission's meetings using the Commission's web-site and other media outlets.

4.11. The reorganization and liquidation of the Commission shall be carried out by the President of the Republic of Azerbaijan.