



The Cabinet of Ministers of the Republic of Azerbaijan

Resolution No. 193

On approval of the «Procedures for registration and keeping register of residents of special economic zone», «Forms of the registration certificate of special economic zone» and «Exemplary application form submitted by individuals and legal entities for registration in the administration of special economic zone, and the list of documents attached to the application»

Baku, December 18, 2009

In order to ensure fulfillment of the paragraphs 1.4 and 1.5 of the Order No. 101 of the President of the Republic of Azerbaijan dated 03.06.2009 «On application of the Law of the Republic of Azerbaijan «On special economic zones», the Cabinet of Ministers decides to:

1. Approve the procedures for registration and registry of residents of special economic zone (Attachment 1).
2. Approve the form of the registration certificate of special economic zone (Attachment 2).
3. Approve exemplary application form submitted by individuals and legal entities for registration in the administration of special economic zone, and the list of documents attached to the application (Attachment 3).
4. This resolution is entered into force from the date of its signature.

Prime Minister of the Republic of Azerbaijan

Rasi-zadeh

It was published in the Collection of Laws of the Republic of Azerbaijan (dated 31.12.2009, No. 12 (150), Article 1068)

With amendments in accordance with Resolutions No. 262, 16 November 2012; No. 46, 14 February, 2014; No. 195, 13 May, 2016 («LegalActs» LLC).

*Approved
by the Resolution No. 193
of the Cabinet of Ministers
of the Republic of Azerbaijan
dated 18.12.2009*

Attachment No. 1

Procedures for registration and keeping register of the residents of special economic zone

1. General provisions

1.1. This Procedure has been prepared in accordance with the Law of the Republic of Azerbaijan «On special economic zones» and other regulations of the Republic of Azerbaijan and regulates the procedures for registration and enrollment of the residents of the special economic zone.

1.2. Registration and registry of the residents of special economic zone, issuance of the registration certificate of special economic zone to them is carried out by the Administration of special economic zone.

1.3. The residents of special economic zone are individuals and legal entities who have passed state registration in accordance with the legislation of the Republic of Azerbaijan and received the registration certificate of special economic zone in manner prescribed by the Law of the Republic of Azerbaijan «On special economic zones», to carry on business in the territory of special economic zone.

1.4. Legal entities whose 100 (one hundred) percent of the shares or units that belong to the state, can not be registered as the resident of special economic zone.

1.5. Information about the residents of special economic zone is included into the registry of residents of special economic zone (hereinafter — the Registry).

2. Registration of the residents of special economic zone

2.1 In order to conduct activities in the territory of special economic zone individuals and legal entities apply to the administration of special economic zone and submit the following documents:

2.1.1. Application form and attached documents (Attachment № 3);

2.1.2. Agreement of intent concluded between individuals and legal entities and the operator of special economic zone to conduct activities in the territory of special economic zone;

2.1.3. Information about their business activities outside the territory of special economic zone.

2.2. The documents specified in paragraph 2.1 of this Procedure can be submitted directly or by the operator.

2.3. Administration of a special economic zone considers the application and the documents attached thereto within 10 days and in accordance with the requirements of the legislation issues the certificate of registration of special economic zone to the applicant or provides written information about necessity to remedy the deficiencies not caused for refusal of registration in special economic zone or about refusal of registration (specifying the reasons of refusal).

2.4. If submitted documents are in contradiction to the Constitution of the Republic of Azerbaijan, Law of the Republic of Azerbaijan «On special economic zones», this Procedure and other legislations, it will be refused from the registration. In connection with the refusal the complaint can be filed by administrative procedure or in court.

2.5. Upon finding of deficiencies in submitted documents not caused for refusal of registration as a resident of special economic zone, the administration of special economic zone returns to the applicant these documents specifying the deficiencies for resolution of them. After resolution of these deficiencies the documents can be re-submitted to the administration of special economic zone.

2.6. Individuals and legal entities are considered the residents of special economic zone from the date of receipt of the registration certificate of special economic zone.

2.7. The residents of special economic zone are obliged to comply with the requirements of the Law of the Republic of Azerbaijan «On special economic zones» and other regulations regulating the special legal regime of special economic zone. If these requirements are violated repeatedly or grossly, the administration of special economic zone may apply to the court for the cancellation of their registration. A claim for cancellation of the registration of the resident of special economic zone is filed by the Administration of special economic zone. In the case of liquidation of the legal entity who is the resident of special economic zone, as well as in the case of termination of business activities or death of individual who is the resident of special economic zone, their registration will be canceled by the Administration of special economic zone.

2.8. The administration of special economic zone should notify the Ministry of Economy ~~and Industry~~ of the Republic of Azerbaijan, Ministry of Taxes of the Republic of Azerbaijan and State Customs Committee of the Republic of Azerbaijan about this during the subsequent working day after the issuance of the registration certificate to the resident of special economic zone or cancellation of the registration of the resident.

3. Registry of the residents of special economic zone

3.1. Registry of the residents of special economic zone is made in Azerbaijan language by the Administration of special economic zone.

3.2. Registry is the information resource of the Republic of Azerbaijan and the rules of its protection and use are set by the legislation of the Republic of Azerbaijan.

3.3. Registry is maintained in hard copy and electronic format.

3.4. In case of contradictions between the records in hand copy and electronic format, unless otherwise is provided by law, records on paper materials will prevail.

3.5. The preparation of the registry on electronic format is based on the application of unified organizational, methodological and technical-program principles and liaises with other information systems and networks of the state.

3.6. Registry includes the followings:

3.6.1. Information about the legal entities — residents;

3.6.2. Information about the individuals — residents;

3.6.3. The documents established by law and submitted to the registration authority for storage.

3.7. Registry is maintained on an annual basis and on each special economic zone created in the Republic of Azerbaijan.

3.8. The following information should be specified in the registry.

3.8.1. Firm name of the resident (for individuals — surname, name and patronymic);

3.8.2. Legal address of the resident (address);

3.8.3. Business legal structure of the resident;

3.8.4. Identification number of taxpayer;

3.8.5. Surname, name, patronymic, nationality and place of residence of each founder of the resident that is legal entity; if founder is legal entity information about its name, legal address and registration;

3.8.6. Surname, name, patronymic, nationality and place of residence of each legal representative of the resident;

3.8.7. Information about the registration or the cancellation of the registration of the resident in the territory of special economic zone.

3.9. In the case of the issuance of the registration certificate to the resident of special economic zone or the cancellation of the registration of the resident, as well as in receipt of information on changes of information included into the registry about the resident, the administration of the special economic zone should include appropriate information into the registry within the subsequent working day.

3.10. Every person has the right to review records in the state register *about him/her*, enquire the extract from the state register and copies of documents submitted for registration. Administration of special economic zone by the

requirement of any interested persons shall provide the information on state registration or refusal of state registration of legal entity.

3.11. Information about the resident registration and cancellation of the registration is published on the site of administration of special economic zone for public use.

*Approved
by the Resolution No. 193
of the Cabinet of Ministers
of the Republic of Azerbaijan
dated 18.12.2009*

Attachment No. 2

(Name of the administration of special economic zone)

Registration certificate of special economic zone

Registration No. _____

Name of the legal entity or individual (surname, name and patronymic of the individual)

Date of the state registration

Date of the agreement of intent concluded between legal entities and individuals and the operator

Surname, name and the signature of the official of the administration of special economic zone

Stamp

Approved
by the Resolution No 193
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dated 18.12.2009

Attachment No. 3

Exemplary application form submitted by legal entities and individuals for registration in the administration of special economic zone, and the list of documents attached to the application

(Name of the administration of special economic zone)

**Application
for registration of legal entities and individuals in administration of special economic zone**

1. Name (surname, name and patronymic of the individual)

2. Legal address

2.1. Phone _____ 2.2. Postal code

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3. Certificate on the state registration of legal entity and its registration in the government tax authority as the taxpayer or the identification card of the individual and registering him/her in the government tax authority as the taxpayer and number of their registration

4. Type of property _____

5. Business legal structure _____

6. Type of base activity _____

7. Other types of activity _____

8. The certificate, special permission (license) and other documents(if any) for business activity

8.1. Date of issuance

8.2. Expiration

9. Authorized capital

10. Number of branches and representations

11. Information about the higher authority or the founder:

11.1. Full name of legal entity

11.1.1. Name of the country of registration

11.1.2. Address

11.1.3. TIN

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11.2. Individual:

11.2.1. Surname

11.2.2. Name

11.2.3. Patronymic

11.2.4. Address

11.2.5. Nationality

11.2.6. Identity card

(Series, number, name of issuing authority and date of issuance)

11.2.7. TIN

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11.3. Number of companions _____

11.3.1. Share of local companions _____ %

11.3.2. Share of foreign companions _____ %

11.4. Name of the main companions	Nationality	Share in the authorized capital (%)
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11.4.1. _____	_____	_____
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11.4.2. _____	_____	_____
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11.4.3. _____	_____	_____
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11.4.4. _____	_____	_____
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12. Head of the legal entity:

12.1. Surname

12.2. Name

12.3. Patronymic

12.4. Address

12.5. Identity card

(Series, number, name of issuing authority and date of issuance)

13. The representative (if any):

13.1. Surname, name, patronymic

13.2. Address

13.3. Identity card

(Series, number, name of issuing authority and date of issuance)

13.4. Information about the power of attorney

13.5. Phone _____ 13.6. Fax

14. The sphere (spheres) of activities conducted in special economic zone:

15. Required territory:

15.1. Closed territory: _____ sq.m (square meter)

15.2. Open territory: _____ sq.m

15.3. Requirement for provision of employees of individuals or legal entity with a residence:

16. Attached business plan:

16.1. Name of the business plan:

16.2. Number of pages and copies

I,

(Surname, name and patronymic of the head of the legal entity (branch and representation) or individual or their plenipotentiary)

request to examine the documents submitted in the attachment to conduct activities in special economic zone _____ and to register in special economic zone.

I attach to the application copies of the documents relating to its paragraphs 3, 8, 9 and 16, and also constituent documents totally _____ pages to the attachments.

I confirm accuracy of specified in the application and attachments and in case of detection of inaccuracies, I undertake to report on their remedy.

Date of filling of the application

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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(Day)

(Month)

(Year)

Legal entity (or individual) or representative: _____ /

(Signature) / (Surname, name, patronymic)

Stamp:

Note. The application and documents attached to the application must be certified by notary public.
