

**The Decision of the Supreme Eurasian Economic Council
dated November 18, 2011 N 1
"On the Regulation of the Work of the Eurasian Economic Commission"**

1. To approve the Regulations of the Work of the Eurasian Economic Commission (attached).
2. This Decision shall enter into force on the day of its signature.

Members of the Supreme Eurasian Economic Council:

For the Republic	For the Republic	For the Russian
Belarus	Kazakhstan	Federation
(signature)	(signature)	(signature)

Regulation of the Work of the Eurasian Economic Commission

Preamble

The present Regulation of the Eurasian Economic Commission (hereinafter - Regulation) determines, in accordance with the Treaty on the Eurasian Economic Commission (hereinafter - the Treaty on the Commission), the rules of formation and work of the Council of the Eurasian Economic Commission (hereinafter - Council), the Collegium of the Eurasian Economic Commission (hereinafter - Collegium), Departments of the Eurasian Economic Commission (hereinafter - the departments of the Commission), the Commission on Ethics and advisory bodies.

In the present Regulation the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation are referred to as the Parties.

Chapter I. Council

Part 1. Formation of the Council

1. The Council is formed in accordance with Article 8 of the Treaty on the Commission. The Government of the Party shall inform the other Parties and the chairman of the Collegium about decision on representative of the Party in the Council, taken by President of the Party.
2. The chairman of the Collegium sends information on the compositions of members of the Council to the Parties.
3. Replacement of the representative of the Party in the Council is made in accordance with the procedure on the appointment of representative of the Party. In case if it is necessary to replace the representative of the Party in the Council, the Party replacing a member of the Council, shall notify about the replacement the other Parties and the chairman of the Collegium.
4. Replacement of representative of the Party in the Council can be made in the case of the dismissal of this representative of the Party from the position of the deputy head of the government of the Party or redistribution of its responsibilities among the deputy heads of the government of the Party.

Part 2. Meetings of the Council

5. Meetings of the Council are held as required but at least once in a quarter.

6. Time and place of the regular meeting of the Council are determined in the previous meeting of the Council.

When the holding of the next meeting in the place or in time specified earlier is impossible, Chairman of the Council with the consent of the members of the Council determines new location / time of the meeting.

7. The extraordinary meetings of the Council are convened at the initiative of any member of the Council or the chairman of the Collegium by the decision of the Collegium. The decision to hold an extraordinary meeting of the Council is taken in reconciliation with all members of the Council.

8. In order to hold an extraordinary meeting of the Council, the member of the Council, initiating an extraordinary meeting of the Council, or the Chairman of the Collegium shall send a letter explaining the reasons of necessity for convening an extraordinary meetiCou3 -1.14515.465 -extraordinar

Part 4. Holding of meetings of the Council

14. Members of the Council, Chairman of the Collegium as well as members of the Collegium can participate in the meetings of the Council. By proposal of a member of the Council, representatives of the parties can participate in the meetings of the Council. With approval of Chairman of the Council, staff of the departments of the Commission can participate in the meetings of the Council. The Chairman of the Collegium makes proposals for the participation the department staff of the Commission.

15. The participation issue of accredited media representatives in the meetings is decided by the Chairman of the Council with approval of the members of the Council.

16. Council meetings are opened and closed by the Chairman of the Council.

17. With the consent of all members of the Council an issue that is not included in the agenda may also be discussed during the meeting.

Part 5. Consideration of the issues in the Council

18. In the meeting of the Council are considered issues, referred to the competence of the Council in accordance with the Treaty on the Commission and the Annex to the present Regulation as well as issues on cancellation of and amendment to the decisions of the Collegiums.

19. Draft decisions of the Commission, adopted by the Council (hereinafter – decision of the Council) are prepared by the Collegium.

20. Issues of agenda for the meeting of the Council are reported by the Chairman of the Collegium or a member of the Collegium.

Part 6. Decisions of the Council

21. The Council takes decisions in accordance with the procedure established by Article 12 of the Treaty on the Commission.

22. The Council prior making decision to pass an issue for the consideration of the Supreme Eurasian Economic Council shall include this issue to the agenda of upcoming meeting of the Supreme Eurasian Economic Council.

23. Decisions are taken by the Council shall be made in one copy (with the exception of decisions made in a videoconference) in writing, on special blanks signed by the members of the Council. Annexes to the decisions of the Council are certified by signatures of the Chairman of the Council and Chairman of the Collegium.

24. The Chairman of the Collegium circulates certified copies of decisions of the Council to the members of the Council and the Ministries of Foreign Affairs of the Parties within three days.

25. The Chairman of the Collegium provides publication of the decisions of the Council and theirs annexes, except of those mentioned in paragraph 26 of the present Regulations, on the official website of the Commission on the Internet within three calendar days from the date when the decision has been taken. Date of publication of the Council decision on the official website of the Commission on the Internet is the date of its publication. Council decisions that directly

affect the rights and obligations of physical and juridical persons of the Parties shall be published

Part 1. Formation of the Collegium; representation of personnel of the Collegium to the Supreme Eurasian Economic Council

44. The issue on the formation of the next membership of the Collegium shall be considered by the Supreme Eurasian Economic Council at the highest level not later than two months before the expiration of the term of the current members of the Collegium.

45. The Supreme Eurasian Economic Council at the highest level shall approve personal membership of the Collegium and shall appoint the Chairman of the Collegium on the proposal of the Parties as well as the distribution of responsibilities among the members of the Collegium.

46. If the Supreme Eurasian Economic Council at the highest level do not approve personal membership of the Collegium and/or appoint the Chairman of the Collegium, the Parties shall be entitled to present new candidates within one month. Presentation of new candidates by the Parties and the inclusion of the issue into agenda of the Supreme Eurasian Economic Council shall be carried out in the manner prescribed by paragraphs 44 and 45 of these Regulations.

47. The order of the appointment of the Chairman of the Collegium shall be determined by Articles 15 and 17 of the Treaty on the Commission.

Part 2. Revocation and termination of powers of a Collegium member

48. If a Party intends to recall its member of the Collegium, the Party shall send a notice of intention to revoke a member of the Collegium on the grounds established by the Treaty on the Commission including the reasons of revocation (hereinafter - the notice of revocation) to the Chairman of the Collegium. The Chairman of the Collegium after receiving the notice of revocation shall provide the inclusion of the issue into the agenda of the meeting of the Supreme Eurasian Economic Council and send the information on this issue to the members of the Council.

49. The Supreme Eurasian Economic Council at the highest level shall consider the issue on revocation of a member of the Collegium at a meeting in due course.

50. Party, which a Collegium member can be recalled, shall present a new candidate for the position of a Collegium member to the Supreme Eurasian Economic Council prior to the meeting of the Supreme Eurasian Economic Council at the highest level, which shall consider the issue on revocation of member of the Collegium.

51. If a Party intends to raise the issue on revocation of a Collegium member, presented by the other Party, a Party shall send notice of the intention to revoke a Collegium member on the grounds established by the Treaty on the Commission with the reasons for revocation (hereinafter – the notice of a Party) to the Chairman of the Collegium.

52. The Chairman of the Collegium after receiving the notice of a Party shall organize the inspection according to the facts set forth therein. The inspection results shall be approved by the Chairman of the Collegium within a period not exceeding two months from the date of receipt of a notice of the Party by the Commission. The Chairman of the Collegium shall send notice of the Party and inspection materials to Council members within two working days after approval of inspection results.

53. At the meeting the Council shall consider the revocation of member of the Collegium,

revocation and raise the issue of revocation of member of the Collegium at the meeting of the Supreme Eurasian Economic Council at the highest level.

54. If the Party, which member of the Collegium can be recalled, agrees with the inspection results, it shall present a new candidate for the position of member of the Collegium to the Supreme Eurasian Economic Council prior to the meeting of the Supreme Eurasian Economic Council at the highest level, which shall consider the issue on revocation of member of the Collegium.

55. The issue of early termination of authority of member of the Collegium and the appointment of a new member of the Collegium of the same Party shall be included into the agenda of the meeting of the Supreme Eurasian Economic Council at the highest level by the Chairman of the Collegium.

Part 3. Meetings of the Collegium, the agenda and preparation of materials for the meeting of the Collegium

56. Meetings of the Collegium shall be held according to the plan approved by the Chairman of the Collegium at least once a week.

57. An extraordinary meetings of the Collegium shall be convened at the initiative of any member of the Collegium on the basis of decision of the Chairman of the Collegium. The decision to hold an extraordinary meeting of the Collegium shall be taken in consultation with all members of the Collegium.

58. The meeting of the Collegium shall be authorized if at least two thirds of the members of the Collegium are presented and at least of one member of the Collegium from each Party.

59. The Collegium shall take decisions by votes of qualified majority of two thirds on issues within the jurisdiction of the Collegium in accordance with the Treaty on the Commission, the international treaties that form the legal framework of the Customs Union and Single Economic Space and the decisions of the Supreme Eurasian Economic Council, as well as on issues that are not within the competence of the Council according to the Treaty on the Commission and the Annex hereto.

60. Issues shall be included into the agenda of the meeting of the Collegium by order of the Council, the proposal of a Council member and on the initiative of the Chairman of the Collegium or a member Collegium. Proposals for inclusion of issue into the agenda of the meeting of the Colleg-6()TJ31.07.274 Tw§luded into

in accordance with the approved distribution of responsibilities. As a result of the proposal consideration by the authorized body of a Party, a Collegium member shall initiate the inclusion of the issue into the agenda of the meeting of the Collegium or shall inform the Party on refusal to include the proposal of the authorized body of the Party into the agenda of the meeting of the Collegium.

62. The Commission shall maintain statistical records on proposals of the authorized bodies and the answers that were provided in response. This information shall be provided to Council members at their request.

63. The Chairman of the Collegium shall approve the draft agenda of the meeting of the Collegium and ensure its sending with documents and materials on the issues, included in the agenda to members of the Collegium and the Parties not later than 15 calendar days before the date of the meeting of the Collegium.

64. For each issue in the draft agenda the documents and materials, signed by competent Collegium member, (other than procedural) shall include:

- report on the progress of work on the considered issue with the rationale for the adoption of the proposed decision (document);
- calculations and financial feasibility study of expenses (if necessary);
- draft decision (of documents) to be signed;
- conclusions of advisory bodies established under Article 19 of the Treaty on the Commission if the issue was sent to them for advice;
- draft decision (of documents) under consideration by the Supreme Eurasian Economic Council, the Council;
- other supplementary materials.

65. The draft decision of the Commission as well as its documents and materials by the Collegium members and departments of the Commission shall be approved in accordance with the Rules of the Commission's internal document procedures, approved by the Collegium.

66. During preparation of the documents and materials for the agenda of the meeting of the Collegium, a member of the Collegium shall provide the appropriate study of this issue by advisory body with the purpose to obtain its opinion on the issues defined by the Council as compulsory for consultation with the advisory body.

67. If adoption of decision on the issue is within the competence of the Collegium, the issue shall be submitted for discussion and voting of members of the Collegium.

68. If adoption of decision on the issue is within the competence of the Council, the Collegium shall make a decision on the transfer of the draft decision of the Commission for consideration by the Council and its inclusion into the agenda of the next meeting of the Council.

Part 4. Holding the meetings of the Collegium

69. Members of the Departments of the Commission

73. Meetings of the Collegium are opened and closed on the proposal of the Chairman of the Collegium.

Part 5. Decisions and recommendations of the Collegium

74. Decisions shall be taken by the Collegium in accordance with the procedure established by Article 21 of the Treaty on the Commission. Votes in the Collegium shall be distributed in accordance with Article 7 of the Treaty on the Commission.

75. Decisions of the Collegium may be revoked or modified at the initiative of a Party or a Collegium member in the manner provided by Part 7 of Chapter I of this Regulations and the Treaty of the Commission.

76. The decision of the Collegium may be revoked or modified by the Collegium itself.

77. Decisions of the Collegium shall be made in writing on the special blanks in one copy and signed by the Chairman of the Collegium, and voting results shall be reflected in the voting protocol. Annexes to the decisions of the Collegium shall be certified by signatures of the Chairman of the Collegium.

The Chairman of the Collegium shall provide sending of certified copies of decisions and annexes to Council members, Collegium members and the Ministries of Foreign Affairs of the Parties within three days.

78. The Chairman of the Collegium shall provide publication on the official website of the Commission of decisions of the Collegium and its annexes, except as provided by paragraph 79 of this Regulation, within three calendar days from the date of their adoption. Publication date of the Collegium decision on the official website of the Commission shall be considered as the date of its official publication. Decisions of the Collegium directly affecting the rights and responsibilities of natural and juridical persons of the Parties shall be published on the official website of the Commission. These decisions of the Collegium shall not be attributed to documents of restricted distribution.

79. Decisions taken by the Collegium and its annexes, which are acknowledged as documents of restricted distribution, shall not be published on the official website of the Commission. Storage and distributions of these documents shall be made in accordance with the procedure of work with documents of restricted distribution (confidential and for internal use only), approved by the Council on the proposal of the Collegium.

80. Decisions of the Collegium, not included in the documents of restricted distribution, indicating the date of entry into force, shall be published in the official publications of the Parties.

81. Decisions of the Collegium shall enter into force no earlier than thirty calendar days from the date of their official publication unless otherwise provided by this paragraph. The decision of the Collegium shall set another date of its entry into force, if it is provided by order or decision of the Council, but not less than 10 calendar days from the date of official publication.

82. Decisions of the Collegium on the organization of work of the departments of the Commission (decision on the approval of department directors, on the members of the competition committee for appointment to vacant positions into the Commission departments, on the approval of internal documents, on the intera0 TDof internd(001 Twta0 .0005 larcision of)f.15 TD.4

other similar decision) shall come into force within the terms established by such decisions of the Collegium, but not less than 10 calendar days from the date of official publication.

83. Recommendations of the Collegium shall be made according to procedure established for decisions adopted by the Collegium. Recommendations of the Collegium shall not be obligatory for the Parties but advisory in nature.

Part 6. Responses to requests

84. Requests of the Parties shall be sent to the Collegium by the authorized bodies of the Parties. Requests shall be made in writing in Russian.

85. Responses to written requests of the Parties shall be prepared by departments of the Commission. Responses to the requests shall be signed by the Chairman of the Collegium or a Collegium member in accordance with the distribution of duties among the Collegium members approved by the Supreme Eurasian Economic Council.

86. The response shall be sent in writing in Russian no later than 30 calendar days from the date of registration by the Commission.

If the response cannot be sent within 30 calendar days from the date of receipt of the request due to the need for additional consideration or additional information, the Commission department responsible for preparation of the response to the corresponding request shall inform about it in writing indicating the date of a response.

87. By order of the Council or on its own initiative, the Collegium as well as the Collegium members independently may request information necessary for implementation of Commission authorities from the authorized bodies of the Parties, physical and juridical persons. Executive authorities of the Parties shall ensure presentation of the requested information in accordance with Article 6 of the Treaty on the Commission within no more than 30 calendar days from the date of receipt of such request.

Chapter III. Departments of the Commission

88. Staff of the Commission departments shall be formed in accordance with Article 27 of the Treaty on the Commission. Percentage of employees, who are nationals of the Republic of Belarus, shall be for each category of positions at 6 percent level of the staff-limit of the Commission departments, the nationals of the Republic of Kazakhstan - at 10 percent level, nationals of the Russian Federation - at 84 percent level.

89. Departments of the Commission shall act in accordance with Articles 27 - 32 of the Treaty on the Commission.

90. Department of the Commission, responsible for organization of the meetings of the Council,

91. Department of the Commission, responsible for organization of the meetings of the Collegium, shall provide technical and information support of the meetings of the Collegium. Meetings of the Collegium shall be stenographed. Records of the meetings shall not be intended for distribution. Records of meetings (working notes) shall be the documents for official use and distributed by the Commission department, responsible for organization of the meetings of the Collegium, to the Chairman of the Collegium, Collegium members and Council members no later than within two working days after the end of the meeting. Keeping records of the meeting shall be carried out by the department of the Commission, responsible for organization of the meetings of the Collegium.

92. In order to prepare materials for the meetings of the Supreme Eurasian Economic Council, the Collegium and the Council, Commission departments in consultation with a Collegium member in accordance with the distribution of duties among the members of the Collegium, approved by the Supreme Eurasian Economic Council, shall, if necessary, conduct working meeting with the involvement of the experts of the Parties.

93. The order of the interaction between the departments of the Commission and organization of work with documents in the Commission shall be approved by the Collegium.

Chapter IV. Advisory Bodies

94. The Council shall be entitled to identify the issues, consideration of which requires a mandatory conclusion of an advisory body.

95. Issues identified by the Council as the issues, on which the Collegium is obliged to consult in accordance with Article 9 of the Treaty on the Commission, shall be considered in the appropriate advisory body prior to consideration of these issues at a meeting of the Collegium.

The Collegium shall establish advisory bodies for mandatory consultations on the issues identified by the Council.

96. Advisory bodies shall act under the Collegium in accordance with Article 19 of the Treaty on the Commission.

97. The activities of each advisory body under the Collegium shall be determined by the Regulation. Regulation shall be approved by the advisory body under the Collegium.

98. In the formation of an advisory body, the Collegium shall ask the Parties for candidates of authorized representatives of executive bodies to be included in the established advisory body. The advisory bodies may include independent experts.

Chapter V. Ethics Commission

99. The Ethics Commission shall be established by the Council in accordance with Article 9 of the Treaty on the Commission. The activities of the Ethics Commission shall be determined by the Regulation adopted by the Council.

100. The objectives of the Ethics Commission shall be the following:

- to ensure compliance with the labor rights of the Parties to work in Commission provided by the Treaty on the Commission

- to monitor the selection of candidates according to the results of the competitions and to conduct performance reviews of staff of the Commission;
- to control compliance with professional ethics of the Commission's staff;
- to ensure compliance with social and other guarantees provided by the Treaty on the Commission;
- to consider other issues of personnel activity of the Commission.

101. The members of the Ethics Commission shall be approved by the Council. The Ethics Commission shall also include representatives of the Parties.

Chapter VI. Official website of the Commission on the Internet

102. Information shall be published on the official website of the Commission in accordance with the Treaty on the Commission and these Regulations.

103. Official website of the Commission shall be administered in Russian, Belarusian, Kazakh and English languages by the Collegium. The order of its organization and maintenance shall be approved by the Collegium.

Official publication of the Commission's decisions on the official website of the Commission shall be in Russian. Decisions of the Commission, published on the official website of the Commission, may be accompanied by an unofficial translation in Belarusian, Kazakh and English. The Collegium shall provide unofficial translation of the Commission's decisions and other information, officially published on the official website of the Commission.

Final Provisions

104. Amendments to the Regulation shall be approved by the Supreme Eurasian Economic Council at the highest level as proposed by the Council. Proposals to amend the Regulation shall be made by a Party or the Chairman of the Collegium by the decision of the Collegium. Proposals of the Parties to amend the Regulation shall be sent to the Collegium. Consideration of proposals of the Parties by the Collegium shall be carried out in the manner prescribed by Part 3 of Chapter II of this Regulation. The decision to bring the issue for consideration of the Supreme Eurasian Economic Council shall be made at the meeting of the Council.

Annex to the Regulations of the Commission

2. to take decisions on extension of the temporary import with full conditional exemption from customs duties and taxes in respect of sensitive goods in accordance with the Customs Code of the Customs Union and the international treaties signed by the CU member states;

3. to make decisions on import customs duties which are highth f f

- evaluation methodology of competition;
- determination methodology of monopolistically high (low) prices;
- peculiarities of application of the competition rules in various sectors of the economy (if necessary);
- consideration procedures of applications (materials) on the violation of the competition rules;
- procedure on conducting investigation on violations of the competition rules;
- consideration procedures of cases on violations of the competition rules;
- procedures on cooperation of authorized bodies of Parties with the Commission;

- annual reports containing comparative analysis of policies and practices on regulation of natural monopolies by the Parties;