

**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 meeting of the Council to the Chairman of the Council. The chairman of the Council determines a date and time of the extraordinary meeting and sends the proposal for other members of the Council. After reconciliation the proposal to hold an extraordinary meeting with the members of the Council, the chairman of the Council shall notify the chairman of the Collegium about the date and time of the meeting. The chairman of the Collegium provides for the preparation of materials for the extraordinary meeting of the Council.

An extraordinary meeting of the Council on consideration the cancellation or amendment of a decision of the Commission, taken by the Collegium (hereinafter - the decision of the Collegium), is conducted in the manner prescribed by Part 7 of the Chapter I of the present Regulation.

The extraordinary meetings of the Council on consideration of the cancellation or amendment of the decision of the Collegium, as well as other issues requiring rapid decisions, are possible to conduct via videoconference.

In the case of a meeting of the Council via videoconference decision of the Council are taken in three copies, signed by all members of the Council during the meeting.

The date of a decision of the Council, taken via videoconference, is the date, when a videoconference is conducted. The place for taking a decision of the Council, taken via videoconference is the place of location of the Chairman of the Council.

During a videoconference the video is recorded at the place and that time where the videoconference is conducted by the chairman of the Council.

The video recording of the videoconference is deposited to the relevant department of the Commission, which provides video recording by the request of any member of the Council within 3 days from the date of request.

### **Part 3. The agenda and preparation of materials for the meeting of the Council**

9. The agenda of the meeting of the Council includes issues proposed by a member of the Council as well as the chairman of the Collegium by the decision of the Collegium. The proposals to include an issue into the agenda of the meeting of the Council are reasoned by the explanatory note.

10. Preparation and submission for approval of the members of the Council the draft of agenda and the materials of the Council are provided by chairman of the Collegium no later than 45 calendar days prior to the date of the meeting of the Council.

11. The draft agenda of the meeting and its materials approved by the Council and agreed by the chairman of the Council are sent to the chairman of the Collegium no later than 20 calendar days prior to the date of the Council meeting. The chairman of the Council when approving the agenda has no right to exclude consideration of any issue included in the agenda in established order.

Issue proposed by the Chairman of the Collegium is included to the agenda of the meeting of the Council, if two members of the Council agreed its inclusion to the agenda of the meeting of the Council. Issue proposed by the Council is included in the agenda of the meeting of the Council, regardless of its approval by other Council members.

12. The Chairman of the Collegium sends to the Chairman of the Council and the Council members the agenda of the meeting of the Council approved by the Chairman of the Council and documents and materials prepared on the issues included in the agenda of the meeting of the Council not later than 15 calendar days prior to the meeting of the Council.

13. Documents and materials for each issue of the agenda (other than procedural) include:

- inquire on the progress of work on the issue with the rationale for the adoption of the proposed decision (document);
- calculations and financial feasibility study of expenditures (if required);
- documents required for this issue by international treaties that make up the legal framework of the Customs Union and Common Economic Space;
- draft of decision (of documents) to be signed;
- final materials of the consideration of draft decision by advisory bodies, established under Article 19 of the Treaty on the Commission, if an issue is determined by the Council as mandatory for consultation with the advisory body;
- draft decisions (documents) provided for consideration by the Supreme Eurasian Economic Council;
- other additional materials.

On issues that need decisions of the Council to be made in the exceptional cases, requiring a rapid response in accordance with paragraph 3 of Article 5 of the Treaty on the Commission, the documents and materials may not be provided in full, but sufficient for its detailed consideration.

#### **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 on the official website of the Commission on the Internet on a mandatory basis. These decisions of the Council shall not be referred to the documents of limited distribution.

26. Decisions are taken by the Council as well as their annexes, which are the documents of limited distribution, shall not be published on the official website of the Commission on the Internet. Storage and distribution of these documents shall be in accordance with the procedure on work with documents of limited distribution (confidential and for internal use only), approved by the Council on the proposal of the Collegium.

27. Decisions of the Collegium that are not included in the documents of restricted distribution, with indication of the date of entry into force, shall be published in the official publications of the Parties. Decisions of the Council are enter into force in accordance with Article 5 of the Treaty on the Commission.

28. The issue on the date of entry into force of the decisions of the Council other than the date stipulated by the first paragraph of Paragraph 3 of Article 5 of the Treaty on the Commission shall be submitted for discussion at the meeting of the Council.

#### **Part 7. Cancellation or amendments made by Council to the decisions of the Commission, adopted by the Collegium**

29. The proposal for cancellation or amendments to the decision of the Collegium can be addressed to the Collegium (to the chairman of the Collegium) by a Party or a member of the Council within 10 calendar days from the date of a decision is taken. The proposal for cancellation or amendments to the decision of the Collegium (hereinafter - application) shall be submitted in writing form with justification of the necessity of cancellation or amendments to a decision.

A Party shall take the necessary reasonable measures for the prompt notification of the Commission on sending an application. The date of submission of the application to the Collegium is the date of registration of it by the Commission. The application is registered at the day of receipt of it by the Commission.

30. The chairman of the Collegium no later than the working day following the day of receipt of application by the Commission, shall provide for publication about the receipt of application on the official website of the Commission on the Internet.

Within 5 calendar days of receipt of application by the Collegium, the chairman of the Collegium shall prepare set of documents and materials for consideration of application during the meeting of the Council (hereinafter - the documents) and submit it to the Council members. The documents shall include:

- Application;
- submitted by a Party justification of necessity of the cancellation or amendment to a decision of the Collegium;
- decision of the Collegium, considered by the Council related to an application of the Party and its materials, prepared in accordance with paragraph 64 of this Regulation.

31. In case if the issue on cancellation or amendment to the decision of the Collegium could be considered at the next meeting of the Council, the Chairman of the Collegium refers to the Chairman of the Council with an initiative to include into the agenda the issue on cancellation or amendment to the decision of the Commission, adopted by the Collegium.

In case if the issue on cancellation or amendment to the decision of the Collegium will be considered at an extraordinary meeting of the Council, the chairman of the Council initiates the meeting in accordance with paragraph 8 of this Regulation.

32. The chairman of the Council after receipt of an application and sets of the documents to it with the consent of the Council members authorizes to the chairman of the Collegium to include the issue to the agenda of upcoming meeting of the Council and determines place and time for extraordinary meeting of the Council.

The Council considers an issue on cancellation or amendment to the decision of the Collegium at a meeting of the Council within the period prescribed by third paragraph of Article 13 of the Treaty on the Commission, from the date of Chairman of the Collegium's official delivery of documents and materials for consideration of the application by the Council members. Chairman of the Collegium takes necessary measures for prompt notification of the Council members on applications received from the Party and sending related documents and materials, including via e-mail. As a result of consideration of the issue on cancellation or amendment of the decision of the Collegium, the Council may accept or reject the decision on cancellation or amendments to the decision of the Collegium. The Council's decision on cancellation and amendments to the decision of the Collegium shall enter into force on the date of its publication.

33. In case of revocation of the decision of the Collegium by the Council, it should be annulled by the decision of the Council. The decision of the Council shall enter into force after its official publication. The decision of the Council is published in the official website of the Commission no later than 3 calendar days from the date of the decision is taken. The chairman of the Collegium provides for publication of information about cancellation of the decision of the Collegium in the official website of the Commission within 3 calendar days from the date of the decision is taken.

34. In case if the Council amends the decision of the Collegium, it can be amended through the cancellation of the decision of the Council and adoption of the new decision by the Council on the relevant issue. The decisions of the Council enter into force in accordance with Article 5 of the Treaty on the Commission. The decisions of the Council are published in the official website of the Commission within 3 calendar days from the date of the decisions are taken. The chairman of the Collegium provides for publication of information on cancellation of the decision of the Collegium and adoption of a decision of the Council in the official website of the Commission within three 3 days from the date of the decision is taken.

35. After consideration of a application by the Council or the expiration of the term provided for the adoption of Council's decisions on cancellation or amendment to the decision of the Collegium, a Party shall submit to the Commission a letter signed by the head of the Government of a Party with proposal to consider an issue on cancellation or amendment of the decision of the Collegium by the Supreme Eurasian Economic Council, but no later than 30 calendar days from the date of publication of the decision of the Collegium.

36. After receipt of a letter of the Party signed by the head of the Government of a Party on proposal for cancellation or amendment to the decision of the Collegium by the Supreme

Eurasian Economic Council, the Chairman of the Collegium provides the inclusion of the issue into the agenda of the meeting of the Supreme Eurasian Economic Council and ensures the following:

- publication in the official website of the Commission the receipt of letter of a Party;
- publication in the official website of the Commission an inquiry on discontinuance of entry into force of the decision of the Collegium;
- sending of notification to the Parties (the heads of Government of the Parties) on discontinuance of entry into force of the decision of the Collegium;

#### **Part 8. Orders of the Council of the Collegium, the recommendations of the Council**

37. The orders of the Council of the Collegium are made in writing. The orders include the duration of its enforcement. The orders are internal documents of the Commission.

38. The recommendations of the Council are adopted in the manner stipulated by the Council for adoption of the decisions. The recommendations of the Council are not obligatory for the Parties, but are recommendatory.

#### **Part 9. The signing of international treaties by the Commission**

39. The Council has the right to take decision on granting of a power to the chairman of the Collegium and member of the Collegium to negotiate the drafting of international treaties on which the Supreme Eurasian Economic Council granted such right to the Commission.

40. The Council has the right to take decision on granting of a power to the chairman of the Collegium to sign international treaties in respect of which the Supreme Eurasian Economic Council granted such right to the Commission.

,In certain cases in respect of a specific international treaty which should be signed by the Commission the Council shall be entitled to preserve the right to sign such treaty.

41. Upon signing of a international treaty the Chairman of the Collegium within 3 working days provides sending of certified copies of the signed international treaty to the Parties to undertake the necessary procedures for entry into force of the international treaty.

#### **Part 10. Representative offices of the Commission**

42. Representative offices of the Commission may be established in the territories of Member States within the limit of total maximum number of Commission departments by decision of the Council.

43. Representative office of the Commission in the Member State shall act on the basis of the Representative office regulation approved by the Council.

### **Chapter II. Collegium**

## **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, develop its position on unfair performance of powers by member of the Collegium and its

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 Collegium shall be sent to the Chairman of the Collegium including the documents and materials.

Proposals of member of the Council on consideration of issue within the jurisdiction of the Commission shall be considered by member of the Collegium in accordance with the approved distribution of responsibilities. As a result of consideration of the proposal of member of the Council, member of the Collegium shall initiate the inclusion of the issue into the agenda of the meeting of the Collegium. The decision to include proposal of member of the Council into the agenda of the meeting of the Collegium shall be adopted by the Collegium.

61. The proposals of the authorized body of a Party to consider issues, on which the decision-taking is within the jurisdiction of the Commission, shall be considered by a Collegium member

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 providing the holding of the meeting of the Collegium as well as other persons in consultation with the Chairman of the Collegium shall be invited at the meeting of the Collegium by Collegium members.

Officials of the Parties on the basis of the written request of the Council member shall attend the meetings of the Collegium and discuss the draft decisions and recommendations of the Collegium on the issues of the meeting agenda of the Collegium specified in the letter of the Council member.

70. The issue on the presence of accredited mass media representatives at public meetings shall be decided by the Chairman of the Collegium.

71. Members of the Collegium shall participate in the meetings in person.

In case of objective inability to participate in the meeting of the Collegium, a Collegium member shall address in writing to the Chairman of the Collegium the reasons for inability to attend the meeting of the Collegium no later than 3 working days before the meeting of the Collegium. At the same time a Collegium member may:

- detail the position in writing delegating a right to represent him/her at a meeting to the Chairman of the Collegium;
- with the consent of the Chairman of the Collegium, delegate the right to represent his/her position to the Director of the Commission Department, whose competence includes the considered issue.

Written position of a Collegium member or a written request from a Collegium member to delegate the right to represent his/her position to the Director of the Commission Department shall be submitted to the Chairman of the Collegium no later than 2 working days before the meeting of the Collegium. Document confirming the right to represent the position of a Collegium member by the Director of the Department shall also be referred to the Chairman of the Collegium.

In the process of counting of votes writing position and/or the vote of the director of the department shall not be considered.

Objective impossibility of taking part at the meeting of the Collegium shall be considered as follows:

- vacation of a Collegium member;
- official trip of a Collegium member;
- sick leave of a Collegium member;
- another fact recognized by the Chairman of the Collegium as objective impossibility.

72. In the case of objective impossibility of the presence of the Chairman of the Collegium at a meeting of the Collegium, he/she shall designate a Collegium member, who will perform his duties including the determination of the powers which are transferred to that Collegium member.

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 interaction between the Commission departments and

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, shall provide information and technical support of the meetings of the Council. Meetings of the Collegium shall be stenographed. Records of the meetings shall not be intended for distribution. Records of the meetings (working notes) shall be the documents for official use. The Chairman of the Collegium shall provide the distribution of records of the meeting (working notes) to Council members and Collegium members no later than within 5 working days after 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 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**

### **FUNCTIONS AND AUTHORITIES OF THE COUNCIL**

1. to take decisions on change of import customs duties rates with respect to sensitive products, list of which is approved by the Supreme Eurasian Economic Council;

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 higher or lower the rate of the Common Customs Tariff of the Customs Union;
4. to make decisions on application of tariff preferences;
5. to make decisions on introduction, application and cancellation of special types of prohibitions and restrictions on foreign trade in goods;
6. to take decision on the introduction, application and cancellation of restrictions on the foreign trade by providing exclusive rights to export and (or) import of certain categories of goods;
7. to approve procedures for determining by Parties organizations that are granted the exclusive right to export and (or) import certain categories of goods;
8. to grant and cancel the exclusive right for import and (or) export under application of measures affecting foreign trade in goods and introduced in accordance with the national interests of the Parties;
9. to establish the term of the exclusive license in each case specifically;
10. to approve and submit for approval of the Supreme Eurasian Economic Council the main goals of macroeconomic policies of the Parties;
11. to approve and submit for approval of the Supreme Eurasian Economic Council proposals on measures aimed at improving of the economic situation, at the same time preventing the negative impact of these measures on the economy of other Parties;
12. to approve, amend and add the common list of goods to which mandatory requirements are applied;
13. to approve, amend and add the plan (program) on elaboration of technical regulations of the Customs Union;
14. to adopt, amend and cancel technical regulations of the Customs Union;
15. to approve, amend and add the order of development, adoption, amendment and cancellation to the technical regulations of the Customs Union;
16. to approve and amend a uniform mark of products circulation in the Customs Union;
17. to approve:
  - calculation methodology and procedures of imposition of fines;

- 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;
- list of legal acts of the Parties in the sphere of competition policy, which are subject to amendment or adoption in order to harmonize the legislation of each Party in the sphere of competition policy;
- sequence of adopting appropriate measures for harmonization of the legislation of each Party in the sphere of competition policy;
- period during which the parties harmonize their legislation in accordance with competition principles and rules;

18. To submit for approval by the Supreme Eurasian Economic Council proposal on criteria for attribution of the market to cross-border in order to determine the competence of the Eurasian Economic Commission;

19. To approve prepared by the Collegium information on the implementation of the Agreement on Regulation of Access to Rail Transport Service;

20. To take decision on recognition as natural monopoly of the specific field not listed in Annexes 1 and 2 of the Agreement on Common Principles and Rules of Regulation of Natural Monopolies at the request of the relevant State;

21. To approve and submit for consideration to the Supreme Eurasian Economic Council the following information on results of the Agreement on Common Principles and Regulation Rules of Natural Monopolies' implementation, prepared by the Collegium:

- proposals to the phased plan on formation of the Single Economic Space (with regard to each sector (industry) specifically) with respect to natural monopolies, including proposals on the criteria and procedure for monitoring the implementation of a phased plan for the creation of the Single Economic Space;
- analysis and suggestions on coordination methods (development and implementation) of national authorities' decisions in respect of natural monopolies;

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

- information on rendering assistance on harmonization of regulations in the sphere of natural monopolies with regard to the environmental aspects and energy efficiency;

22. To approve and submit for consideration by the Supreme Eurasian Economic Council the list of legal acts of the Parties subject to harmonization in the sphere of regulation of natural monopolies;

23. To approve and amend the Common lists of goods subject to sanitary epidemiological inspection, veterinary and phytosanitary quarantine control;

24. To approve and amend the Regulation on state sanitary and epidemiological inspection, The regulation on common procedure of veterinary control, Regulation on common joint inspections procedures of objects and sampling of goods (products), subject to veterinary control (inspection), Regulation on the procedure of implementation of a quarantine phytosanitary control (inspection).