



Decree of the President of the Azerbaijan Republic

On certain issues with regard to ensuring the activities of the Ministry of Emergencies of the Azerbaijan Republic

1. The regulations of the following organizations under the umbrella of the Ministry of Emergencies of the Azerbaijan Republic shall be approved:

- 1.1. Regulations of the State Service for Fire Control (attached herewith);
- 1.2. Regulations of the Civil Defense Troops (attached herewith);
- 1.3. Regulations of the Special Paramilitary Security Service (attached herewith);
- 1.4. Regulations of the State Inspectorate for small-sized ships (attached herewith);
- 1.5. Regulations of the State Agency for Material Reserves (attached herewith);
- 1.6. Regulations of the State Agency for Control over Safety in Construction (attached herewith).

2. The abolished «AzerDovlatLayiha» Main State Design Institute (together with the Engineering and Research Center) of the State Committee for Construction and Architecture of the Azerbaijan Republic, the «AzerInshaatLayiha» Main State Design, Construction and Technology Institute, the «AzerKommunLayiha» Communal Design Institute and the Center for Price Setting in Construction shall be transferred to the Ministry of Emergencies of the Azerbaijan Republic.

3. Resolution of the President of the Azerbaijan Republic No 244 dated 13 December 1995 «On the establishment of the State Commission on Emergencies of the Azerbaijan Republic» shall be considered null and void.

4. The Agency for Monitoring Safety in Industry and Mining under the Ministry of Emergencies of the Azerbaijan Republic shall be called the State Agency for Monitoring Safety in Industry and Mining.

5. The Cabinet of Ministers of the Azerbaijan Republic shall be instructed to:

- 5.1. To prepare, within a period of 15 days, draft regulations of the State Agency for Monitoring Safety in Industry and Mining of the Ministry of Emergencies of the Azerbaijan Republic and to submit it to the President of the Azerbaijan Republic;

5.2. To prepare suggestions on bringing the existing regulatory and legal acts into line with the present Decree and submit to the President of the Azerbaijan Republic within a period of one month;

5.3. To resolve other issues arising from the present Decree.

6. The present Decree shall become effective from the date of signing.

President of the Azerbaijan Republic

Ilham ALIYEV

Baku city, 29 December 2006

№ 511

*Approved by Decree No 511 of the
President of the Azerbaijan Republic
dated 29 December 2006*

Regulations of the State Service for Fire Control of the Ministry of Emergencies of the Azerbaijan Republic

I. General provisions

1. The State Service for Fire Control of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as the Service) shall be the body of executive authority which ensures control over the design, construction, reconstruction and repair of buildings and facilities on the territory of the republic and over compliance with fire safety norms and rules during their operation, carries out certification procedures on mandatory certification of products and services in the area of fire safety, and exercises state control over mandatory fire safety insurance of property belonging to people engaged in entrepreneurial activity.

2. In its activity, the Service shall be governed by the Constitution of the Azerbaijan Republic, international agreements to which the Azerbaijan Republic is a signatory, laws of the Azerbaijan Republic, decrees and resolutions of the President of the Azerbaijan Republic, decisions and resolutions of the Cabinet of Ministers of the Azerbaijan Republic, the Regulations of the Ministry of Emergencies of the Azerbaijan Republic, the present Regulations and the orders and instructions of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as the Ministry).

3. The Service shall carry out its activities through the organizations subordinated to it.

4. The Service shall have an independent balance sheet, the seal with the image of the state coat-of-arms of the Azerbaijan Republic and the names of the Ministry and Service, relevant stamps and letter-heads, treasury and bank accounts.

5. Expenses on keeping and operating the Service shall be financed from state budget resources in accordance with an estimate approved by the Ministry and other sources which do not run counter to the existing legislation.

6. The Service shall be based in the city of Baku.

II. Activity directions of the Service

7. Activity directions of the Service shall be as follows:

7.1. To take part, as far as its authority permits, in the development of a state policy in the area of fire safety and in carrying out regulatory and legal control in this area;

7.2. To ensure that control is exercised over compliance with fire safety norms and regulations;

7.3. To carry out certification procedures on mandatory certification of products and services in the area of fire safety;

7.4. To carry out state management, coordination and control in the area of fire safety;

7.5. To ensure the development of areas pertaining to the activity directions of the Service;

7.6. To engage in other activities not banned by legislation.

III. Responsibilities of the Service

8. In accordance with the activity directions established by the present Regulations, the Service shall have the following responsibilities:

8.1. To submit suggestions to the Ministry towards developing and regulating a state policy in the area of fire safety and to carry out management, coordination and control in this area;

8.2. In order to direct the activities of state fire control bodies and to take precautionary measures, to conduct monitoring and prognostication in the area of fire safety;

8.3. To ensure the development and implementation of targeted state programs in the area of fire safety;

8.4. To prepare and ensure the execution of draft standards, norms, rules and regulatory legal documents pertaining to state control over fire safety;

8.5. To develop procedures and draft sample regulations for the establishment of out-of-office and voluntary fire protection services, and to submit them accordingly for approval;

- 8.6. To take part in placing public and economic facilities on the territory of the republic while taking into account fire safety conditions and in developing the Town-planning Master Plan;
- 8.7. To exercise control, as far as its authority permits, over the implementation of mandatory fire safety requirements by bodies of executive authority and local governments, as well as physical individuals and legal entities;
- 8.8. To develop mandatory norms and rules for the production of fire and technical equipment and facilities, and to submit them accordingly for approval;
- 8.9. To arrange for fire protection, organize fire safety measures and services on the entire territory of the country in an order envisaged by legislation;
- 8.10. To exercise control over implementation of fire safety measures in an order established by legislation;
- 8.11. To compile a list of potentially dangerous enterprises subject to mandatory fire protection measures in accordance with requirements of fire safety norms and rules, and to submit it to the Ministry;
- 8.12. To raise an issue with the Ministry with regard to the establishment of fire services to be funded from the state budget in accordance with the norms envisaged by legislation;
- 8.13. To keep single record and analysis of fires and their consequences;
- 8.14. To issue certificates to mandatory-certified products and services in the area of fire safety in an order envisaged by legislation, to suspend them on a temporary basis and to render them null and void;
- 8.15. To approve, from the point of view of fire safety requirements, town-planning and cost estimate documentation pertaining to the construction, major overhaul, reconstruction, expansion and technical modification of enterprises, buildings, facilities and other installations;
- 8.16. To take part, with the right to vote on behalf of the Ministry, in meetings of commissions specifically established for the selection of construction sites (highways) and commissioning of completely constructed facilities, and to provide an opinion at the stage of allocation of land plots for construction purposes from the point of view of their fire safety;
- 8.17. To conduct investigations into fire accidents and breaches of fire safety procedures in accordance with the existing legislation, to consider administrative offences in the area of fire safety and to make decisions within the framework of its authority;
- 8.18. To arrange for fire safety tests of fire-fighting hardware and fire-extinguishing equipment, substances, materials, products, equipment and structures;

- 8.19. To issue of special permits (licenses) for engaging in activities pertaining to fire safety issues in cases and in an order envisaged by legislation;
- 8.20. To strengthen any out-of-office ad voluntary fire protection services, to provide them with comprehensive assistance and to organize training for their personnel;
- 8.21. To organize the publication of fire safety literature, posters and refreshers in the area of fire safety and to organize the release of films on the subject of fire safety;
- 8.22. To coordinate the activities of local fire control bodies of the Service and to exercise control over organization of the service;
- 8.23. To put forward initiatives to conduct nationwide meetings, sessions and scientific and practical conferences on the subject of fire safety and to organize this work within the framework of its authority;
- 8.24. To compile a list of fire-extinguishers and fire-fighting equipment required to ensure fire safety of buildings, facilities, transport vehicles and other installations, and to submit it accordingly for approval;
- 8.25. To exercise selective control, from the point of view of fire safety, over the design and cost estimate documents being prepared at enterprises dealing with design and research activities;
- 8.26. To exercise state fire control over mandatory insurance of property belonging to persons engaged in entrepreneurial activities in an order established by legislation;
- 8.27. To exercise control over the relevant condition of fire protection and fire-fighting facilities in residential settlements and enterprises on the territory of the republic;
- 8.28. To develop suggestions concerning the production of fire safety equipment, machinery and facilities in the republic and to the submit them to the Ministry;
- 8.29. To develop rules for conducting fire drills and exercises in order to ensure fire safety and to submit them to the Ministry for approval;
- 8.30. To ensure that the management bodies and divisions of the fire protection service are maintained in relevant militarized and mobilized condition;
- 8.31. To receive operational information about fires registered on the territory of the republic from the State Fire Protection Service, which is subordinated to the Ministry, and to take measures envisaged by legislation;
- 8.32. To conduct scientific, research, experimental and design work in the area of fire safety;

- 8.33. To organize population awareness campaigns in the area of fire safety and to provide methodological supervision of such activities carried out by other state and public organizations;
- 8.34. To take into account the existing fire safety situation in the republic, to develop and carry out activities in order to coordinate the activity of state fire control bodies;
- 8.35. To develop and ensure the implementation of accreditation rules of organizations operating in the area of ensuring fire safety;
- 8.36. To ensure effective use of state budget and other financial resources allocated;
- 8.37. To exercise control over material and financial resources and to keep their record in an established order;
- 8.38. To make suggestions towards improving the activity of the Service and to take measures as far as its authority permits;
- 8.39. To submit suggestions to the Ministry towards strengthening the material, technical and social logistics of the organizations subordinated to the Service;
- 8.40. To submit suggestions to the Ministry concerning the establishment, re-organization and closure of organizations subordinated to the Service;
- 8.41. To review the incoming complaints and comments about the activity of the Service and to take measures in an order envisaged by legislation;
- 8.42. To carry out other activities in accordance with activity directions of the Service, as envisaged by legislation.

IV. Rights of the Service

9. In order to carry out its responsibilities, the Service shall have the following rights:

- 9.1. To raise issues with physical individuals and legal entities with regard to urgent measures to be taken to ensure fire safety;
- 9.2. To prohibit the use of goods on the territory of the republic for which a fire safety certificate has not been issued contrary to legislative requirement pertaining to the issue of fire safety certificates;
- 9.3. In order to prevent breach of rules of fire safety requirements, to conduct inspections at territories, buildings, facilities and other installations owned by physical individuals and legal entities in an order established by legislation and to demand submission of information and documents which would characterize their fire safety condition;
- 9.4. To exercise state fire control at enterprises and organizations of out-of-office and voluntary fire protection service and to supervise the activity of local bodies of the Service;

- 9.5. To exercise control over compliance with fire safety norms and rules at the stage of design, construction and installation operations;
- 9.6. To take measures as envisaged by legislation in the event of failure to follow the instructions of state fire control bodies;
- 9.7. To make decisions on complete or partial suspension of the work of enterprises, production sites and machinery, operation of buildings, facilities and transport vehicles in the event of a danger resulting from breach of fire safety procedures at the time of implementation of work or provision of services, and in the event of failure to comply with the requirements of fire safety standards, norms and rules at the time of construction of enterprises, buildings and other facilities;
- 9.8. To take measures with regard to persons violating fire safety standards, norms and rules in cases and in an order envisaged by legislation of the Azerbaijan Republic;
- 9.9. To submit suggestions to the Ministry with regard to officials authorized to consider cases of administrative offences as envisaged by legislation;
- 9.10. To demand that enterprises and organizations conduct fire safety tests of production materials, products, equipment and facilities, inspect environmental fire safety conditions and examine fire protection systems and facilities;
- 9.11. To submit suggestions to the Ministry with regard to prophylactics, treatment, sanatorium, resort and other social protection measures to protect the health of high-ranking employees of the Service, civilian workers and pensioners, as well as their family members;
- 9.12. To use the opportunities of mass media free of charge, regardless of their proprietary status, to communicate fire warnings and other information about fire to the population;
- 9.13. To send fire safety enquiries to state and local government bodies, seek information (documents) from physical individuals and legal entities and demand that they submit such information (documents);
- 9.14. To cooperate and exchange experience with relevant international organizations and relevant fire control organizations of foreign states as far as its authority permits;
- 9.15. To develop and submit suggestions to the Ministry with regard to training and re-training of fire safety specialists;
- 9.16. To raise the issue with the Ministry with regard to engaging independent experts and specialists in its activity in an order envisaged by legislation;
- 9.17. To publish specialized bulletins and other editions with regard to activities of the Service, open a dedicated web site and submit suggestions to the Ministry on how to use them;

9.18. To exercise other rights in line with activity directions as envisaged by legislation.

V. Organization of the Service activities

10. The Service staff and divisions subordinated to it shall constitute a single system of the Service.

11. Personnel numbers and schedule, budget expenditure, as well as incomes and expenditure from other sources of all divisions subordinated to the Service within the framework of resources financed from the Service budget and approved by the President of the Azerbaijan Republic, shall be approved by the Ministry.

12. The recruitment and appointment of persons to positions within the Service staff and divisions subordinated to the Service, as well as dismissal from service and position, shall be carried out by the Minister of Emergencies of the Azerbaijan Republic. The appointment and dismissal to and from positions in the Service shall be carried out by the Minister of Emergencies of the Azerbaijan Republic in an order established by legislation.

13. The service terms and conditions for Service employees shall be established by relevant legislation of the Azerbaijan Republic.

14. The staff salaries and additional benefits for senior military rank, as well as other types of financial remuneration of high-ranking employees of the Service shall be established in accordance with staff and military rank salaries and other types of financial remuneration of servicemen of the Ministry of Defense of the Azerbaijan Republic, while salaries of civilian employees shall be established in accordance with legislation.

15. Pension shall be provided to retired employees of the Service and their family members in an order established by legislation.

16. Funding of the Service staff and its divisions shall be implemented from the state budget at the expense of the funds envisaged in the state budget for keeping the Ministry.

17. The activity of the Service shall be managed by the Chief of service who shall be appointed to and dismissed from the position by the Minister of Emergencies of the Azerbaijan Republic and shall at the same time be considered as Chief State Fire Control Inspector of the Azerbaijan Republic.

18. The Chief of the Service shall be personally responsible for the implementation of responsibilities entrusted to the Service and the exercise of its rights.

19. The Chief of the Service shall have two deputies who shall be appointed to and dismissed from the position by the Minister of Emergencies of the Azerbaijan Republic.

20. Deputy Chiefs shall fulfill the instructions entrusted to them by the Service Chief and shall be personally responsible for their implementation.

21. The Service Chief shall have the following responsibilities:

21.1. To organize and manage the activity of the Service;

- 21.2. To determine the responsibilities of his deputies;
- 21.3. To submit suggestions to the Ministry with regard to appointing and dismissing employees subordinated to the Service to and from their positions:
- 21.4. To manage the financial and economic activity of the Service;
- 21.5. To submit motions to the Ministry with regard to applying remuneration and disciplinary sanctions to employees of divisions subordinated to the Service as envisaged by legislation;
- 21.6. To put forward suggestions with regard to the proposed expenditure of the Ministry for the next year concerning issues related to the authority of the Service, to take part in the formation of out-of-budget resources of the Ministry at the expense of sources envisaged by legislation and to ensure goal-oriented use of the said resources in accordance with the cost estimate of revenues and expenditure of the Ministry;
- 21.7. To issue orders and instructions, as far as its authority permits, with regard to the activity of the divisions subordinated to the Service staff and to organize execution of regulatory legal acts;
- 21.8. To raise issues with the Ministry with regard to improving the social status as well as material and technical logistics of employees of the Service and divisions subordinated to it, as well as civilian workers;
- 21.9. To act as a plaintiff and defendant in legal hearings with regard to fire control issues;
- 21.10. To submit suggestions to the Ministry with regard to technical supply norms of the Service and divisions subordinated to it;
- 21.11. To take part, as far as its authority permits, in international negotiations with regard to issues related to the activity of the Service;
- 21.12. To ensure implementation of responsibilities determined by the present Regulations;
- 21.14. To exercise other rights in line with legislation of the Azerbaijan Republic.

*Approved by Decree of the President
of the Azerbaijan Republic No 511
dated 29 December
2006*

Regulations of the Civil Defense Troops of the Ministry of Emergencies of the Azerbaijan Republic

I. General provisions

1. The Civil Defense Troops of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as civil defense troops) shall be an organization implementing civil defense activities, issuing rapid response to protect the population and territories from natural and man-made emergency situations and ensuring that rescue and other emergency activities are carried out to prevent and eliminate the consequences of emergency situations.
2. In its activity, the civil defense troops shall be governed by the Constitution of the Azerbaijan Republic, international agreements to which the Azerbaijan Republic is a signatory, laws of the Azerbaijan Republic, decrees and resolutions of the President of the Azerbaijan Republic, decisions and resolutions of the Cabinet of Ministers of the Azerbaijan Republic, the Charter of the Armed Forces of the Azerbaijan Republic, the Regulations of the Ministry of Emergencies of the Azerbaijan Republic, the present Regulations and the orders and instructions of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as the Ministry).
3. While fulfilling its responsibilities and exercising its rights, the civil defense troops shall function in mutual contact with bodies of executive authority and local government bodies, non-governmental organizations.
4. The civil defense troops shall have an independent balance sheet, state property at its disposal in accordance with legislation, treasury and bank accounts, the seal with the image of the state coat-of-arms of the Azerbaijan Republic and the names of the Ministry and the civil defense troops, relevant stamps, letter-heads and symbols.
5. Expenses on keeping and operating the civil defense troops shall be financed from state budget resources in accordance with an estimate approved by the Ministry and other sources which do not run counter to the existing legislation.
6. The command of the civil defense troops shall be based in the city of Baku.

II. Activity directions of the civil defense troops

7. Activity directions of the civil defense troops shall be as follows:
 - 7.1. To put forward suggestions and take part in the implementation and regulation of the state policy in the area of civil defense and protection of the population and territories from emergency situations;
 - 7.2. To submit suggestions to the Ministry with regard to coordinating the activities of bodies of executive authority and local government bodies in the area of civil defense and protection of the population and territories from emergency situations, prevention and elimination of consequences of emergency situations within the framework of a Single State System;
 - 7.3. To carry out civil defense activities, take part in the protection of the population and territories from emergency situations, prevention and elimination of consequences of emergency situations and defense from the impact of modern weapons of mass destruction;

7.4. To conduct rescue and other emergency operations in the epicenter of emergency situations during peace and war, to organize rapid reaction and to take part in the management of humanitarian aid provision;

7.5. To carry out control functions on issues pertaining to the responsibilities of civil defense troops;

7.6. To ensure the development of areas pertaining to the activity of civil defense troops;

7.7. To organize the activities of the population, civil defense troops and forces for emergency situations during peace and war times;

7.8. To engage in other activity directions pertaining to the sphere of civil defense troops.

III. Responsibilities of civil defense troops

8. In accordance with the activity directions established by the present Regulations, civil defense troops shall have the following responsibilities:

8.1. To submit suggestions to the Ministry with regard to the following issues:

8.1.1. In connection with the development of the National Concept of the Azerbaijan Republic on prevention and elimination of consequences of emergency situations;

8.1.2. In connection with the preparation of the national civil defense plan and the implementation of the national civil defense plan on the entire territory of the Azerbaijan Republic or different districts of the republic;

8.1.3. In connection with engaging the Armed Forces of the Azerbaijan Republic and other armed formations as envisaged by legislation to the prevention and elimination of consequences of emergency situations;

8.1.4. In connection with declaring a state of emergency on the entire territory or different districts of the republic in the event of large-scale emergency situations;

8.1.5. In connection with monitoring population and territorial awareness of emergency situations, prognostication and other preventive measures, elimination of consequences of emergency situations and preparation of an annual state report on the current status of civil defense;

8.1.6. In connection with ranking the territory of the Azerbaijan Republic on the basis of civil defense zones, cities on the basis of groups and farms on the basis of relevant categories;

8.1.7. In connection with rules for organizing and organizing civil defense activities;

8.1.8. In connection with the application and mobilization plan of the Armed Forces of the Azerbaijan Republic and development of a state program on operational fortification of the territory of the republic;

8.1.9. In connection with the development of special training courses and programs in the area of civil defense, protection of the population and territories from emergency situations and other emergency activities;

8.1.10. In connection with activity directions pertaining to the annual plan of main activities in the area of civil defense, prevention and elimination the consequences of emergency situations;

8.1.11. In connection with suggestions with regard to other regulatory and legal acts pertaining to the activity of civil defense troops;

8.2. During the time of peace:

8.2.1. To take measures with regard to the implementation of responsibilities stated in the civil defense plan of the Azerbaijan Republic for the formations subordinated to civil defense troops, military units and divisions and the plan for mobilization and combat-readiness of civil defense troops;

8.2.2. To collect, place, store and regularly update the weaponry, hardware and other material and technical resources required for the implementation of emergency rescue operations and for provision of troops with necessary resources;

8.2.3. To take part in activities aimed at preventing emergency situations;

8.2.4. To prepare the forces and resources for the prevention and elimination of consequences of emergency situations;

8.2.5. To conduct radiation, chemical and bacteriological (biological) inspection in areas affected by emergency situations and any transport routes in such areas;

8.2.6. To carry out rescue and other emergency operations to confine and eliminate the consequences of emergency situations on the territory of the country and to take part in the implementation of such work on the territories of foreign countries with which the Azerbaijan Republic has relevant agreements to that effect;

8.2.7. To carry out sanitary cleaning of the population, special cleaning procedures for equipment and property, and decontamination of buildings, facilities and territories;

8.2.8. To carry out pyrotechnical work with regard to neutralization of aviation bombs and land mines;

8.2.9. To take part in confining and eliminating large-scale forest fires;

8.2.10. To take part in the organization of protection of humanitarian aid in areas affected by emergency situations;

8.2.11. To take part in the provision of population affected by emergency situations with food, water, first-need goods, temporary residential and other resources and services, and in the provision of initial medical assistance;

8.2.12. To take part in the organization of evacuation activities of the population, material and cultural values from areas affected by emergency situations;

8.2.13. To take part in the restoration of vitally important facilities.

8.3. During the time of war:

8.3.1. To conduct radiation, chemical and bacteriological (biological) inspection in areas affected by calamities, pollution (contamination) and catastrophic flooding, as well as transport routes in areas affected by calamities;

8.3.2. To carry out emergency rescue work in areas affected by calamities, pollution (contamination) and catastrophic flooding;

8.3.3. To carry out sanitary cleaning of the population, special cleaning procedures for equipment and property, and decontamination of buildings, facilities and territories;

8.3.4. To ensure the introduction of civil defense troops to areas affected by calamities, pollution (contamination) and catastrophic flooding;

8.3.5. To take part in the organization of evacuation activities of the population, material and cultural values from areas affected by calamities, pollution (contamination) and catastrophic flooding;

8.3.6. To take part in the implementation of pyrotechnical work with regard to neutralization of aviation bombs and land mines;

8.3.7. To take part in the restoration of vitally important facilities, aerodromes, roads, bridges and other important infrastructure of the rear and to take part in the implementation of other activities with regard to the protection of territories;

8.4. To prepare draft regulations or instructions of structural subdivisions of civil defense troops and to submit them to the Ministry for approval;

8.5. To prepare draft plans and educational programs on operational, combat and mobilization readiness of formations, military units and divisions of civil defense troops, to prepare other draft regulatory and legal acts pertaining to the activity of civil defense troops and to submit them to the Ministry for approval;

8.6. To take part in the implementation of the National Concept of the Azerbaijan Republic and other programs on prevention and elimination of consequences of emergency situations;

8.7. To take part, as far as its authority permits, in the management of humanitarian assistance in emergency situations, including the humanitarian assistance received from and sent to foreign countries;

8.8. To plan training courses and sessions for civil defense troops, to exercise control over their preparation and implementation and to organize their application in accordance with original purpose;

8.9. To ensure safety of service in civil defense troops;

8.10. To take part in the information exchange within the framework of the Single State System on prevention and elimination of consequences of emergency situations;

8.11. To take part in the preparation of civil defense mobilization activities of bodies of executive authority and local government bodies;

8.12. To take part in the coordination of mutual activities of the Armed Forces of the Azerbaijan Republic, other military formations and units established in accordance with legislation pertaining to their responsibilities in the area of civil defense;

8.13. To ensure that combat and mobilization readiness of formations, military units and divisions of civil defense troops is maintained at the desired level at all times;

8.14. To submit suggestions to the Ministry with regard to the current and future planning on mobilizing the material, technical and human resources of civil defense troops in emergency situations at the time of peace and war;

8.15. To take part in the creation of a special electronic information system for the collection and systematization of information pertaining to the activities of civil defense troops;

8.16. In order to promptly organize prevention and elimination of consequences of emergency situations, to take part in the creation of the Geographical Information System (GIS) for the Management of Emergency Situations, which would cover the entire territory of the Azerbaijan Republic;

8.17. In order to eliminate consequences of emergency situations, to manage the specifically established rapid assistance corps;

8.18. To exercise control over the circulation of duty and assault weapons in civil defense troops and to ensure compliance with the rules for the storage of ammunition;

8.19. To submit suggestions to the Ministry with regard to the necessary measures to establish a special system to forecast and monitor emergency situations;

8.20. To take part, together with relevant state bodies, in mine clearance activities on mined territories;

8.21. To take measures to arrange for obligatory life insurance of servicemen and other subordinated personnel involved in the elimination of consequences of emergency situations;

8.22. To ensure professional, special training and further improvement of qualification of personnel in the area of activity of civil defense;

- 8.23. To take part in scientific and research work in the area of civil defense, as well as prevention and elimination of consequences of emergency situations;
- 8.24. To carry out, together with relevant state bodies, activities to inform the population of any emergency situations capable of posing a threat to people's life and health, and to inform the population of the results of such emergency situations and of the measures to eliminate their consequences;
- 8.25. In the event of a danger of an emergency situation or an emergency situation proper and in order to provide prompt information to the population, to use television and radio channels and other media outlets in line with legislation;
- 8.26. To take into account available international experience and to take measures to apply modern equipment and technologies in the area of eliminating the consequences of emergency situations;
- 8.27. To ensure effective use of budgetary and other financial resources allocated to civil defense troops;
- 8.28. To organize record of material and financial resources of civil defense troops in an established order;
- 8.29. To take measures in line with legislation to ensure protection of state secrets and confidentiality with regard to the activity of civil defense troops;
- 8.30. To submit suggestions to the Ministry with regard to improving the staff composition, provision norms and organizational structure of civil defense troops;
- 8.31. To ensure that civil defense troops are maintained in an relevant condition at all times, their activities duly managed and applied in accordance with their original purpose, and to submit suggestions to the Ministry with regard to supplying them with personnel, weaponry, equipment and hardware;
- 8.32. To raise the issue with the Ministry with regard to measures required to strengthening the material and technical logistics of divisions subordinated to civil defense troops;
- 8.33. To take part in the implementation of comprehensive civil defense training at bodies of executive authority and local government bodies, as well as facilities of particular civil defense value;
- 8.34. To take part in radiological, chemical and biological analyses in large-scale disaster zones resulting from military action on the territory of the republic, and in the evaluation of material damage caused;
- 8.35. To submit suggestions to the Ministry in the area of implementing engineering and technical measures to create manufacturing facilities, hydro-technical installations, maritime and river transport vessels, trunk pipelines, highways and railways, underground, communication systems and other production and social infrastructure, and to reduce as far as possible the consequences of emergency situations resulting from their operation;

- 8.36. To exercise control over timely collection, storage, renewal, continuous laboratory testing and division in accordance with the original purpose of individual and collective defense facilities, chemical, research and radiation control equipment and other property at mobilization warehouses of the republic regardless of their proprietary status, and to issue an opinion with regard to their current condition;
- 8.37. To exercise control, as far as authority permits, over the establishment of a fund of individual and collective defense facilities, over their use in the interests of production and to defend employees and the population in accordance with their original purpose;
- 8.38. To organize ways of teaching the rules and methods of protection from emergency situations, as well as civil defense procedures, to the population;
- 8.39. To organize population awareness in connection with civil defense and protection from emergency situations, and to conduct technique supervision over work being carried out in this area by state bodies and public organizations;
- 8.40. To take part in the prognostication of emergency situations and implementation of important activities to create a system of monitoring;
- 8.41. To put forward suggestions with regard to the creation of a local system of warnings in areas where potentially dangerous facilities are located;
- 8.42. To exercise control over keeping emergency survival quarters and other civil defense facilities in an relevant and ready-for-use condition and to carry out relevant activities in the area of ensuring radiation, chemical and biological protection of the population;
- 8.43. To submit suggestions to the Ministry with regard to improving the activity of entities subordinated to civil defense troops and to take measures as far as authority permits;
- 8.44. To take part in conducting exhibitions, conferences, different training and sporting activities;
- 8.45. To ensure protection of human and citizen rights and freedoms while carrying out their activity;
- 8.46. To consider complaints and applications pertaining to the activity of civil defense troops and to take measures in an order envisaged by legislation;
- 8.47. To take part in international cooperation in the area of emergency situations and civil defense troops on behalf of the Ministry;
- 8.48. To carry out other responsibilities pertaining to the activity directions of civil defense troops in line with legislation.

IV. Rights of civil defense troops

9. In order to carry out their responsibilities, civil defense troops shall have the following rights:

- 9.1. To prepare draft regulatory and legal acts in the area of civil defense, prevention and elimination of consequences of emergency situations or to take part in their preparation;
- 9.2. To submit suggestions to the Ministry with regard to establishing, re-organizing and abolishing structural subdivisions of civil defense troops in accordance with activity directions established by the present regulations;
- 9.3. To examine the capacity of bodies of executive authority and local government bodies to carry out civil defense activity in an established order;
- 9.4. To manage the financial resources at their disposal in an order established by legislation;
- 9.5. To submit suggestions to the Ministry with regard to purchasing weaponry, ammunition, communication facilities, special equipment and other facilities for their own needs in an order established by legislation, and to ensure their storage and protection;
- 9.6. To provide military servicemen of civil defense troops with duty weapons and special facilities in an order established by legislation;
- 9.7. To send enquiries to bodies of executive authority and local government bodies, physical individuals and legal entities with regard to information and documents pertaining to the responsibilities of civil defense troops, and to demand submission of such information (documents) from them;
- 9.8. To engage, in an established order, the administration of bodies of executive authority and local government bodies, senior military personnel, high-ranking officials, including the defense forces and facilities required in a particular situation, in resolving civil defense issues and conducting training, exercises, organizational and methodology sessions and other civil defense activities;
- 9.9. To organize the publication and dissemination of literature and periodical editions pertaining to civil defense;
- 9.10. To submit suggestions to the Ministry with regard to prophylactics, treatment, sanatorium, resort and other social protection measures to protect the health of high-ranking employees of civil defense troops, civilian workers and pensioners, as well as their family members;
- 9.11. To submit suggestions to the Ministry with regard to carrying out construction of apartment blocks for the needs of civil defense troops and renovating them;
- 9.12. To cooperate, as far as their authority permits, with international organizations and relevant organizations (bodies) of foreign states, and to conduct exchange of experience;
- 9.13. To cooperate, as far as its authority permits, with foreign countries, international organizations and non-governmental organizations in the provision

of humanitarian assistance in emergency situations, including the humanitarian assistance received from and sent to foreign countries;

9.14. To possess special transport vehicles supplied with special signals and communication devices, as well as signs and colors approved in an established order;

9.15. To take measures to train specialists in areas pertaining to activity areas of civil defense troops and to improve the qualification of personnel;

9.16. To submit suggestions to the Ministry with regard to holding to account those breaching the requirements of regulatory and legal acts in the area of civil defense in an order established by legislation of the Azerbaijan Republic;

9.17. To exercise other rights pertaining to the activity directions of civil defense troops in line with national legislation.

V. Organization of activity of civil defense troops

10. The command and bodies included into the structure of civil defense troops shall constitute a single system.

11. Civil defense troops shall carry out their activities by means of command, service, independent departments, formations, military units and divisions, as well as other bodies subordinated to it.

12. The recruitment of personnel into civil defense troops shall be carried out in an order established by legislation.

13. Personnel numbers and schedule, budget expenditure, as well as incomes and expenditure from other sources of all divisions subordinated to civil defense troops within the framework of resources financed from the civil defense troops budget and approved by the President of the Azerbaijan Republic, shall be approved by the Ministry.

14. Military servicemen of civil defense troops shall be appointed to military service and positions and dismissed military service and positions by the Minister of Emergencies of the Azerbaijan Republic.

15. Civilian personnel of civil defense troops shall be appointed to and dismissed from their positions in line with legislation by the Minister of Emergencies of the Azerbaijan Republic.

16. Financing of civil defense troops shall be carried out at the expense of the funds earmarked in the state budget for keeping the Ministry;

17. The staff salaries, salaries for military ranks and other types of financial remuneration of military servicemen of civil defense troops shall be established in accordance with staff and military rank salaries and other types of financial remuneration of servicemen of the Ministry of Defense of the Azerbaijan Republic.

18. Pension shall be provided to retired employees of civil defense troops as well as their family members in an order established by legislation.

19. Salaries of civilian employees of the command of civil defense troops shall be paid in line with legislation of the Azerbaijan Republic.

20. The activities of civil defense troops shall be led by the commander (hereinafter referred to as the Commander) of civil defense troops.

21. The Commander shall be appointed to and dismissed from his position by the President of the Azerbaijan Republic following a motion by the Minister of Emergencies of the Azerbaijan Republic.

22. The Commander shall be personally responsible for carrying out the responsibilities of civil defense troops and exercising the rights.

23. The Commander shall have one first deputy and one deputy who shall be appointed to the position by the Minister of Emergencies of the Azerbaijan Republic.

24. The Commander shall have the following responsibilities:

24.1. To organize the activity of civil defense troops and to manage it;

24.2. To divide responsibilities between his deputies and to establish their scope of work and areas of activity;

24.3. To supervise the financial and economic activity of civil defense troops;

24.4. To organize preparation of draft regulatory and legal acts pertaining to activity directions of civil defense troops and to submit them to the Ministry for approval;

24.5. To submit suggestions to the Ministry with regard to the establishment, re-organization and abolition of divisions subordinated to civil defense troops;

24.6. To issue orders and instruction pertaining to the activity of civil defense troops as far as his authority permits and to organize control over their implementation;

24.7. To submit suggestions to the Ministry with regard to the building and development concept of civil defense troops, as well as preparation of plans;

24.8. To submit suggestions to the Ministry with regard to the list of rank-and-file, junior and senior personnel of civil defense troops and boundaries of military ranks corresponding to their positions in an order established by legislation;

24.9. To file motions with the Minister of Emergencies of the Azerbaijan Republic with regard to the provision of military ranks to military servicemen of civil defense troops, starting from the first officer's rank and until the position of a colonel, as well as the provision of out-of-turn and early military ranks;

24.10. To organize attestation of civil defense troops personnel in line with national legislation;

24.11. To submit suggestions to the Ministry with regard to decorating military servicemen and civilian employees of civil defense troops with state awards of the Azerbaijan Republic;

24.12. To submit suggestions to the Ministry with regard to the uniform, marks of distinction and other symbols of civil defense troops;

24.13. To put forward suggestions with regard to the proposed expenditure of the Ministry for the next year concerning issues related to the authority of civil defense troops, to take part in the formation of out-of-budget resources of the Ministry at the expense of sources envisaged by legislation and to ensure goal-oriented use of the said resources in accordance with the cost estimate of revenues and expenditure of the Ministry;

24.14. To file motions to the Ministry with regard to applying remuneration and disciplinary sanctions to employees of divisions subordinated to civil defense troops as envisaged by legislation;

25.15. To exercise other rights established by the charter of the Armed Forces of the Azerbaijan Republic pertaining to military servicemen of civil defense troops;

24.16. To take part in preparing construction projects of civil defense troops and in designing master plans for the construction and development military camps of civil defense troops, search and rescue units and camps;

24.17. To exercise other rights envisaged by national legislation.

25. A public military and methodological Council can be established in order to deal with important problems pertaining to the authority of civil defense troops. The Regulations of the Council as well as its composition shall be approved by the Minister of Emergencies of the Azerbaijan Republic.

*Approved by Decree No 511 of the
President of the Azerbaijan Republic
dated 29 December 2006*

Regulations of the Special Paramilitary Security Service of the Ministry of Emergencies of the Azerbaijan Republic

I. General provisions

1. The Special Paramilitary Security Service of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as the Service) shall be the organization responsible for organizing and, as far as authority permits, implementation of rapid reaction in the event of emergency situations, natural, man-made, fire and terror threat to enterprises, facilities and other objects of strategic importance.

2. In its activity, the Service shall be governed by the Constitution of the Azerbaijan Republic, international agreements to which the Azerbaijan Republic is a signatory, laws

of the Azerbaijan Republic, decrees and resolutions of the President of the Azerbaijan Republic, decisions and resolutions of the Cabinet of Ministers of the Azerbaijan Republic, the Regulations of the Armed Forces of the Azerbaijan Republic, the Regulations of the Ministry of Emergencies of the Azerbaijan Republic, the present Regulations and the orders and instructions of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as the Ministry).

3. While carrying out its activities and exercising its rights, the Service shall operate in mutual contact with bodies of executive authority, local government bodies and non-governmental organizations.
4. The Service shall have an independent balance sheet, the seal with the image of the state coat-of-arms of the Azerbaijan Republic and the names of the Ministry and Service, relevant stamps and letter-heads, treasury and bank accounts.
5. Expenses on keeping and operating the Service shall be financed from state budget resources in accordance with an estimate approved by the Ministry and other sources which do not run counter to the existing legislation (hereinafter referred to as legislation).
6. Structural subdivisions of the Service shall be based in the city of Baku and in districts of the republic.

II. Activity directions of the Service

7. Activity directions of the Service shall be as follows:
 - 7.1. To put forward suggestions towards preparation of a state policy and regulation in the area of protecting the population and territories from emergency situations and to take part in their implementation;
 - 7.2. To submit suggestions to the Ministry towards coordinating the activities of bodies of executive authority and local government bodies within the framework of a Single State System on protection of the population and territories from emergency situations, as well as prevention and elimination of consequences of emergency situations;
 - 7.3. To ensure, as far as its authority permits, that emergency rescue and other urgent activities are held in areas affected by emergency situations during the times of peace and war and provision of humanitarian assistance;
 - 7.4. To exercise regulatory and control functions with regard to issues pertaining to authority of the Service;
 - 7.5. To take part in the organization of protection of strategically important enterprises, facilities and other installations affected by emergency situations and acts of terror;
 - 7.6. To ensure that the paramilitary forces subordinated to the Service are kept in an relevant status of alert to carry out protection activities during the times of peace and war;

7.7. To ensure development of areas attributed to the area of activity of the Service;

7.8. The Service shall engage in other directions established by legislation.

III. Responsibilities of the Service

8. In accordance with the activity directions established by the present Regulations, the Service shall have the following responsibilities

8.1. The Service shall submit suggestions to the Ministry with regard to the following issues:

8.1.1. In connection with the development and implementation of the state policy in the area of protection of the population and territories from emergency situations, prevention and elimination of consequences of emergency situations;

8.1.2. In connection with the National Concept of the Azerbaijan Republic in the area of prevention and elimination of consequences of emergency situations;

8.1.3. In connection with joint activity of the Armed Forces of the Azerbaijan Republic, other armed formations and entities envisaged by legislation in the area of prevention and elimination of consequences of emergency situations;

8.1.4. In connection with monitoring, prognostication and other preventive activities in the area of warning the population and territories of emergency situation, elimination of consequences of emergency situations;

8.1.5. In connection with the preparation of training courses and programs in the area of protection measures during rescue and other emergency situations;

8.1.6. In connection with the application and mobilization plan of the Armed Forces of the Azerbaijan Republic and development of a state program on operational fortification of the territory of the republic;

8.1.7. In connection with suggestions with regard to other regulatory and legal acts pertaining to the activity of the Service;

8.2. To ensure, together with relevant state bodies, protection of strategically important oil and gas production and refining enterprises, terminals, trunk pipelines, drinking water pipelines, electric power stations, hydrodynamic facilities and other enterprises which represent special importance for the national economy in the even of an emergency situation, potential or actual acts of terror;

8.3. To take part in the evacuation and rescue of the population from areas affected by emergency situations, and to ensure, together with relevant bodies of

state authority, protection of property and public law and order in the areas affected by of emergency situations;

8.4. To take part in mine clearance activities on mined territories together with relevant state bodies and, at the same time, in implementing security activities;

8.5. To ensure security activities during the transportation of humanitarian aid cargo;

8.6. To take part, together with relevant state bodies, in the implementation of security activities in areas affected by large-scale disasters resulting from military operations on the territory of the country;

8.7. To exercise control over the planning, preparation and implementation of training sessions and courses of the Service and ensure that forces are applied in line with their aims;

8.8. To ensure safety of special paramilitary security forces subordinated to the Service;

8.9. To prepare an annual protection plan of the Service with regard to the prevention and elimination of consequences of emergency situations and to submit it to the Ministry for approval;

8.10. To take part, as far as its authority permits, in the implementation of the National Concept and other programs of the Azerbaijan Republic with regard to the prevention and elimination of consequences of emergency situations;

8.11. To submit suggestions to the Ministry with regard to the current and future planning for the mobilization of material, technical and human resources of the Service during emergency situations in the times of peace and war;

8.12. To take part in the creation of a special purpose system of electronic information with the aim of collecting and systematizing activities pertaining to the activities of the Service and to engage in prognostication and prevention of emergency situations, conduct population awareness and other comprehensive campaigns;

8.13. In order to promptly organize prevention and elimination of consequences of emergency situations, to take part in the creation of the Geographical Information System (GIS) for the Management of Emergency Situations which would cover the entire territory of the Azerbaijan Republic;

8.14. To exercise control over the circulation of duty and assault weapons owned by the Service and to ensure compliance with the rules for the storage of ammunition;

8.15. To take measures to arrange for obligatory life insurance of servicemen and other subordinated personnel involved in the elimination of consequences of emergency situations;

- 8.16. To ensure professional, special training and further improvement of qualification of personnel in the area of activity of the Service;
- 8.17. To take into account available international experience and to take measures to apply modern equipment and technologies in the area of eliminating the consequences of emergency situations
- 8.18. To keep accurate record and ensure effective use of budgetary and other financial resources being allocated to the Service;
- 8.19. To take necessary security and protection measures in line with legislation to ensure protection of state secrets and confidentiality with regard to the activity of the Service;
- 8.20. To submit suggestions to the Ministry with regard to improving the activity of the organizations subordinated to it and to take measures as far as its authority permits;
- 8.21. To ensure that the Service forces are maintained in an relevant condition at all times, their day-to-day activities duly managed and applied in accordance with their original purpose, and to submit suggestions to the Ministry with regard to supplying them with personnel and hardware;
- 8.22. To take part in conducting exhibitions, conferences, different training and sporting activities;
- 8.23. To ensure protection of human and citizen rights and freedoms while carrying out their activity;
- 8.24. To consider complaints and applications pertaining to the activity of the Service and to take measures in an order envisaged by legislation;
- 8.25. To carry out other responsibilities pertaining to the activity directions of the Service in line with legislation.

IV. Rights of the Service

9. In order to carry out their responsibilities, the Service shall have the following rights:
 - 9.1. To prepare draft regulatory and legal acts in the area of prevention and elimination of consequences of emergency situations or totake part in their preparation:
 - 9.2. To submit suggestions to the Ministry with regard to establishing, re-organizing and abolishing structural subdivisions of the Service in accordance with activity directions established by the present regulations;
 - 9.3. To take part in the organization of protection of strategically important enterprises, facilities and other installations affected by emergency situations and acts of terror;

- 9.4. To manage the financial resources at its disposal in an order established by legislation;
- 9.5. To submit suggestions to the Ministry with regard to purchasing weaponry, ammunition, communication facilities, special equipment and other facilities for their own needs in an order established by legislation, and to ensure their storage and protection;
- 9.6. To provide military servicemen of the Service with duty weapons and special facilities in an order established by legislation;
- 9.7. To send enquiries to heads of strategically important facilities, bodies of executive authority and local government bodies, physical individuals and legal entities with regard to information and documents pertaining to the responsibilities of the Service, and to demand submission of such information (documents) from them;
- 9.8. To submit suggestions to the Ministry with regard to prophylactics, treatment, sanatorium, resort and other social protection measures to protect the health of high-ranking employees of the Service, civilian workers and pensioners, as well as their family members;
- 9.9. To cooperate and exchange experience with relevant international organizations (organizations) of foreign states as far as its authority permits;
- 9.10. To possess special transport vehicles supplied with special signals and communication devices, as well as signs and colors approved in an established order;
- 9.11. To organize training of specialists in the areas pertaining to the activity of the Service and re-training of qualified personnel;
- 9.12. To exercise other rights in line with activity directions of the Service as envisaged by legislation.

V. Organization of the Service activities

10. The Service staff and divisions subordinated to it shall constitute a single system of the Service.
11. The Service shall carry out its activity by means of the divisions subordinated to it.
12. As part of their responsibilities, military servicemen of the Service shall undergo military service in an order established by legislation. The rules and conditions of military service shall be established by legislation of the Azerbaijan Republic.
13. Pension provision to military servicemen of the Service and their family members shall be carried out in an order established by legislation.
14. The recruitment and appointment of servicemen to positions within the Service staff and divisions subordinated to the Service, as well as dismissal from service and position, shall be carried out by the Minister of Emergencies of the Azerbaijan Republic.

The appointment and dismissal of civilian persons to and from positions in the Service shall be carried out by the Minister of Emergencies of the Azerbaijan Republic in an order established by legislation.

15. Personnel numbers and schedule, budget expenditure, as well as incomes and expenditure from other sources of all divisions subordinated to the Service within the framework of resources financed from the Service budget and approved by the President of the Azerbaijan Republic, shall be approved by the Minister of Emergencies of the Azerbaijan Republic.

16. The staff salaries and additional benefits for a military rank, as well as other types of financial remuneration of high-ranking employees of the Service shall be established in accordance with staff and military rank salaries and other types of financial remuneration of servicemen of the Ministry of Defense of the Azerbaijan Republic, while civilian employees shall be established in accordance with legislation.

17. Funding of the Service staff and its divisions financed from the state budget shall be implemented at the expense of the funds envisaged in the state budget for keeping the Ministry.

18. The activity of the Service shall be managed by the Chief of Service (hereinafter referred to as the Chief) who shall be appointed to and dismissed from the position by the Minister of Emergencies of the Azerbaijan Republic.

19. The Chief of the Service shall be personally responsible for the implementation of responsibilities entrusted to the Service and the exercise of its rights.

20. The Chief of the Service shall have two deputies who shall be appointed to and dismissed from the position by the Minister of Emergencies of the Azerbaijan Republic.

21. The Chief:

21.1. Shall organize and manage the activity of the Service;

21.2. Shall conduct division of responsibilities between his deputies, outline their responsibilities and determine their authority;

21.3. Shall manage the financial and economic activity of the Service;

21.4. Shall organize preparation of regulatory and legal acts with regard to issues pertaining to the activity of the Service and submit them to the Ministry;

21.5. Shall file motion with the Minister of Emergencies, as far as his authority permits, with regard appointing military servicemen and civilian employees to their positions, determining the location of military service and dismissing from positions;

21.6. Shall submit suggestions to the Ministry with regard to creating, re-organizing and abolishing structural subdivisions subordinated to the Service;

21.7. Shall issue binding orders and instructions pertaining to the Service and exercise control over their execution;

- 21.8. Shall submit suggestions to the Ministry with regard to the boundaries of military ranks corresponding to their positions in an order established by legislation;
- 21.9. Shall file motions with the Minister of Emergencies of the Azerbaijan Republic with regard to the provision and cancellation of military ranks to military servicemen of the Service, starting from private, junior, average and senior ranks and until the position of a colonel, as well as the provision of out-of-turn and early military ranks;
- 21.10. Shall submit suggestions to the Ministry with regard to decorating military servicemen and civilian employees of the Service with state awards of the Azerbaijan Republic;
- 21.11. Shall submit suggestions to the Ministry with regard to the uniform, marks of distinction, flag of the Service and other symbols of the Service;
- 21.12. Shall put forward suggestions with regard to the proposed expenditure of the Ministry for the next year concerning issues related to the authority of the Service, shall take part in the formation of out-of-budget resources of the Ministry at the expense of sources envisaged by legislation and to ensure goal-oriented use of the said resources in accordance with the cost estimate of revenues and expenditure of the Ministry;
- 21.13. Shall file motions to the Ministry with regard to applying remuneration and disciplinary sanctions to employees of divisions subordinated to the Service as envisaged by legislation;
- 21.14. Shall prepare draft regulations of structural subdivisions of the Service and shall submit them to the Ministry for approval;
- 21.15. Shall take part, as far his authority permits, in international cooperation on issues pertaining to the activity of the Service on behalf of the Service;
- 21.16. Shall exercise other rights established by legislation.

*Approved by Decree No 511 of the
President of the Azerbaijan Republic
dated 29 December 2006*

Regulations of the State Inspectorate for small-sized ships of the Ministry of Emergencies of the Azerbaijan Republic

I. General provisions

1. The State Inspectorate for small-sized ships of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as the Inspectorate) shall be the body of executive authority exercising state control over safe traffic of small-sized ships in the domestic sea and territorial waters, rivers, water reservoirs and other bodies of water of

the Azerbaijan Republic (hereinafter referred to as Bodies of Water) in an order established by legislation, and exercising technical control over safe operation of ships and their mooring locations, facilities, quayside berths and jetties (hereinafter referred to as Bases).

2. In its activity, the Inspectorate shall be governed by the Constitution of the Azerbaijan Republic, international agreements to which the Azerbaijan Republic is a signatory, laws of the Azerbaijan Republic, decrees and resolutions of the President of the Azerbaijan Republic, decisions and resolutions of the Cabinet of Ministers of the Azerbaijan Republic, the Regulations of the Ministry of Emergencies of the Azerbaijan Republic, the present Regulations and the orders and instructions of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as the Ministry).

3. While carrying out its activities and exercising its rights, the Inspectorate shall operate in mutual contact with bodies of executive authority, local government bodies and non-governmental organizations.

4. The Inspectorate shall have an independent balance sheet, state property at its disposal in accordance with national legislation, the seal with the image of the state coat-of-arms of the Azerbaijan Republic and the name of the Inspectorate, relevant stamps and letter-heads. The Inspectorate shall use the flags and symbols of the Ministry in an established order.

5. Expenses on keeping and operating the Inspectorate shall be financed from state budget resources and other sources which do not run counter to the existing legislation.

6. The Inspectorate shall have its own base for mooring its vessels, a dispatcher location to organize patrol service and a central radio communication station to arrange prompt control over the traffic of small-sized ships in the water basin of the country.

7. The Inspectorate shall be based in the city of Baku.

II. Activity directions of the Inspectorate

8. Activity directions of the Inspectorate shall be as follows:

8.1. To organize and exercise state control, as far as its authority permits, over safe movement of small-sized ships owned by the Inspectorate regardless of their proprietary status, technical control over their operation;

8.2. To exercise control over the safety of bases used as a place of mooring for small-sized ships;

8.3. To take part, in the capacity of an authorized body subordinated to the Ministry, in the development and regulation of a state policy in the area of ensuring the safety of small-sized ships and bases, and to exercise control over the implementation of this policy;

8.4. To engage in other activity directions established by national legislation.

III. Responsibility of the Inspectorate

9. The Inspectorate shall have the following responsibilities:

- 9.1. To prepare and submit to the Ministry draft regulatory and legal acts pertaining to its activity directions;
- 9.2. To exercise state and technical control over the use of small-sized ships and mooring bases in an order established by legislation;
- 9.3. To exercise control, as far as authority permits, over compliance with requirements pertaining to the safety of people at mooring bases for small-sized ships;
- 9.4. To take part in the preparation of classification rules for small-sized ships;
- 9.5. To organize control of compliance with regulatory and legal acts pertaining to the use of small-sized ships and their mooring bases;
- 9.6. To carry out classification of small-sized ships in an established order, state registration and record, initial and annual technical examination and inspection, and provide them with state (board) numbers, vessel certificates and other documents;
- 9.7. To prepare programs on how to use and operate small-sized ships in practice and to agree such programs with the State Maritime Administration under the Cabinet of Ministers of the Azerbaijan Republic, to conduct examinations for the provision of the right to operate small-sized ships and attestation of ship masters, and to issue other documents providing the right to operate small-sized ships;
- 9.8. To maintain a register of small-sized ships and to keep record of the licenses providing the right to operate small-sized ships, of registration and other documents providing a permit for operating small-sized ships and working at sea;
- 9.9. To establish obligatory terms, norms and technical requirements for the passenger capacity of a ship depending on its design and power, carrying capacity, number and maximum power of its engines, areas allowed for sails, navigation territory, wave height the ship is capable of withstanding, the underwater section of the ship and the minimum above-water board, provision with rescue and fire-fighting facilities, signals, navigation and other equipment;
- 9.10. To exercise control over compliance with the rules for using small-sized ships and their mooring bases, to reveal and prevent violation of any provisions of these rules and other navigation and environmental safety norms;
- 9.11. To keep record of any incidents and accidents involving small-sized ships, any emergency situations on water involving people, to analyze their causes and conditions, and to take measures to eliminate such causes and conditions;
- 9.12. To keep record of bases, to conduct their annual technical inspections, to issue permission for operating such bases, or to impose a ban in the event of breach of safety norms and procedures until such breaches have been eliminated;

- 9.13. To establish norms for placing ships in bases and conditions and technical requirements for enforcing safety procedures;
- 9.14. To issue an opinion on draft bases for small-sized ships;
- 9.15. To keep record of courses and centers for training operators of small-sized ships, and of the arrest and other sanctions placed on small-sized ships;
- 9.16. To prepare recommendations with regard to raising the safety level for navigation of small-sized ships, to submit them to state bodies and public organizations in an established order, and to provide assistance in their implementation;
- 9.17. To exercise control over the measures being taken by owners of ships to ensure safety of traffic of small-sized ships;
- 9.18. To issue an opinion with regard to engine standards of small-sized ships, technical specifications, and their operational safety in terms of design and structure, and to take part in the trials and acceptance of new maritime equipment;
- 9.19. To study the operational conditions, the qualities and shortcomings of equipment and mechanisms used on board of small-sized ships, and to prepare suggestions to improve reliability of such equipment and mechanisms;
- 9.20. To analyze and permanently keep record of any cases of violation of registration procedures of small-sized ships, and of the use of such ships and bases for their mooring;
- 9.21. In order to ensure the safety of traffic of small-sized ships, to develop a single set of procedures in line with international and local regulations and to agree such procedures with relevant organizations;
- 9.22. To exercise control over payment, on the part of owners of small-sized ships, of fees envisaged by national legislation for operation of small-sized ships;
- 9.23. To develop draft tariffs for the work done and services provided by the Inspectorate and to submit them to the Ministry in an established order;
- 9.24. To carry out occasional inspection of the compliance of small-sized ships' hazardous (contaminating) emissions into the atmosphere and the environment with technical regulations, as required by established regulations and the international agreements to which the Azerbaijan Republic is a signatory;
- 9.25. To prevent accidents during the operation of small-sized ships and to carry out public awareness campaigns in order to ensure the safety of people on bodies of water;
- 9.26. To compile protocols on administrative offences and to apply administrative punishment, as far as its authority permits, with regard to persons who have committed an administrative offence;

- 9.27. To carry out training, improvement of qualification and re-training of employees of the Inspectorate in their respective activity directions;
- 9.28. To develop technical specifications and regulations determining the frequency of examinations and special inspections, other regulatory and technical documents pertaining to safe operation of vessels, to approve them with relevant organizations, and to exercise control over the observance of such requirements and regulations on the part of ship owners;
- 9.29. To take part in the prevention and elimination of consequences of emergency situations in bodies of water;
- 9.30. To establish a central radio communication station to exercise control over the traffic of small-sized ships operating in the territorial waters of the country;
- 9.31. To stop technical inspection of old and unserviceable ships and to impose a ban on their further operation;
- 9.32. To exercise control, as far as its authority permits, over the use of small-sized ships in accordance with their intended aim;
- 9.33. To engage in activities to explain and promote navigation safety and proper use of the ships under the control of the Inspectorate;
- 9.34. To coordinate the work of other bodies of executive authority with the activity of the Inspectorate;
- 9.35. To ensure, as far as its authority permits, implementation of all commitments of the Azerbaijan Republic arising from international agreements to which the country is a signatory;
- 9.36. The Inspectorate shall have other responsibilities established by legislation in line with its activity directions.

IV. Rights of the Inspectorate

10. The Inspectorate shall have the following rights to carry out its activity:
- 10.1. To prepare suggestions with regard to regulating the issues pertaining to the area of activity and submit them to the Ministry;
- 10.2. To impose bans for the operation of small-sized ships in cases and in an order established by legislation and to place them into docking and long-term mooring locations;
- 10.3. To impose bans on the operation and use of small-sized ships and their mooring bases if they do not meet safety and security requirements and pose a threat to the movement of ships and navigation as a whole;
- 10.4. If necessary, to stop small-sized ships and to examine whether small-sized ship masters have the license to operate the vessels and other registration documents issues to the ship;

10.5. To impose additional restrictions, in a manner agreed with the local body of executive authority and with respect for local conditions, on the power and number of engines on board of small-sized ships, area of sails, navigation territory and travel speed of ships;

10.6. To ban the operation of small-sized ships which do not meet the requirements pertaining to operational safety, environment protection, as well as river and sea navigation safety;

10.7. To examine the knowledge of ship masters on the use of ships and to arrange for medical examination of ship masters to obtain clearance to operate ships;

10.8. If necessary, to stop small-sized ships which have breached the rules for using ships and to take measures to prevent the repeat of discovered violations;

10.9. To use all ships and other maritime vehicles owned by physical individuals and legal entities, except for the ships and other maritime vehicles owned by foreign diplomatic missions, consulates, other representative offices and international organizations, to deliver persons needing emergency medical assistance to medical institutions or to tow small-sized ships damaged as a result of accidents, in an order established by legislation of the Azerbaijan Republic;

10.10. To exercise other rights in line with activity directions of the Inspectorate as envisaged by legislation.

V. Organization of the Inspectorate activities

11. The Inspectorate staff and divisions subordinated to it shall constitute a single system of the Inspectorate.

12. The Inspectorate shall carry out its activity by means of its staff and the divisions subordinated to it.

13. The structure of the Inspectorate and personnel numbers within the framework of resources financed from the Service budget and approved by the President of the Azerbaijan Republic, including staff and employees of special rank subordinated to the Inspectorate, shall be approved by the Minister of Emergencies of the Azerbaijan Republic.

14. The cost estimate of the Inspectorate expenditure within the Ministry's budget, as well as incomes and expenditure from other sources of all divisions as envisaged by legislation, shall be approved by the Ministry.

15. The recruitment and appointment of special-rank employee to positions within the Inspectorate staff and divisions subordinated to the Inspectorate, as well as dismissal from service and position, shall be carried out by the Minister of Emergencies of the Azerbaijan Republic.

The appointment and dismissal of civilian persons to and from positions in the Inspectorate shall be carried out by the Minister of Emergencies of the Azerbaijan Republic.

16. Employees with a special rank of the Inspectorate shall undergo special service in an order established by legislation. The rules and conditions of such service shall be established by legislation of the Azerbaijan Republic.

17. Provision of pension to employees who have undergone service in the Inspectorate and their family members shall be carried out in an order established by legislation.

18. The salaries for special-rank employees of the Inspectorate and additional benefits for a military rank, as well as other types of financial remuneration, shall be established in accordance with staff and military rank salaries and other types of financial remuneration of servicemen of the Ministry of Defense of the Azerbaijan Republic, while civilian employees of Inspectorate subdivisions financed from the state budget shall have the status of public officers.

19. The list of responsibilities and job obligations of State Inspectors for small-sized ships, as well as the regulations for free-lance public inspectors and rules for operating small-sized ships, the rules of registration, technical maintenance and attestation of ship masters, shall be approved by the Ministry.

20. Funding of the Inspectorate Service staff and its divisions financed from the state budget shall be implemented at the expense of the funds envisaged in the state budget for keeping the Ministry.

21. The activity of the Inspectorate shall be managed by the Chief of the Inspectorate who shall be appointed to and dismissed from the position by the Minister and shall also be considered the Main State Inspector for small-sized ships of the Azerbaijan Republic. The Chief of the Inspectorate shall be personally responsible for the implementation of responsibilities entrusted to the Inspectorate and the exercise of its rights.

22. The Chief of the Inspectorate shall have two deputies who shall be appointed to and dismissed from the position by the Minister of Emergencies of the Azerbaijan Republic.

23. State inspectors for small-sized ships shall have a special uniform and have the right to wear special distinction marks.

24. The Chief shall have the following authorities:

24.1. To organize and manage the activity of the Inspectorate;

24.2. To conduct division of responsibilities between his deputies, outline their responsibilities and determine their authority;

24.3. To manage the financial and economic activity of the Service, to file relevant motions with the Ministry if any violations are discovered and to take measures as far as his authority permits;

24.4. To submit to the Ministry regulatory and legal acts with regard to issues pertaining to the activity of the Inspectorate in an order established by national legislation;

24.5. To abolish any orders and instructions of senior officials of the Inspectorate which run counter to legislation;

- 24.6. To prepare draft regulations of structural subdivisions of the Inspectorate and to submit them to the Ministry for approval;
- 24.7. To prepare information and reports about the activity of the Inspectorate and to submit them to the Ministry;
- 24.8. To act on behalf of the Inspectorate, as far as his authority permits, in relations with state bodies, other bodies and persons, and international organizations;
- 24.9. To organize the attestation of Inspectorate employees in an order established by legislation;
- 24.10. To submit to the Ministry the list of officials of the Inspectorate authorized to compile a protocol on administrative offences as envisaged by legislation;
- 24.11. To submit suggestions to the Ministry concerning the establishment, re-organization and closure of organizations subordinated to the Inspectorate;
- 24.12. To submit motions to the Ministry with regard to applying remuneration and disciplinary sanctions to special-rank employees of subdivisions of the Inspectorate financed from the state budget and civilian employees of divisions as envisaged by legislation;
- 24.13. To manage, as far as his authority permits and in an order established by legislation, the financial resources of the Inspectorate allocated from the state budget to the Ministry and those not running counter to law, to file motion with the Ministry with regard to paying extra remuneration, material aid and bonuses to employees of the Inspectorate while taking account of the specificity of its activity and the limits of such allocations to the Inspectorate;
- 24.14. To put forward suggestions with regard to the proposed expenditure of the Ministry for the next year concerning issues related to the authority of the Inspectorate, to take part in the formation of out-of-budget resources of the Ministry at the expense of sources envisaged by legislation and to ensure goal-oriented use of the said resources in accordance with the cost estimate of revenues and expenditure of the Ministry;
- 24.15. To carry out other responsibilities as envisaged by legislation.
25. Special-rank employees of the Inspectorate shall have the right to bear a duty weapon in an order established by legislation and in line with the register.

*Approved by Decree No 511 of the
President of the Azerbaijan Republic
dated 29 December 2006*

Regulations of the State Agency for Material Reserves of the Ministry of Emergencies of the Azerbaijan Republic

I. General provisions

1. The State Agency for Material Reserves of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as the Agency) shall be the body of executive authority taking part in the development and regulation state policy in the area of creation of state, mobilization, food and emergency reserves (hereinafter referred to as State Material Reserves), carrying out management and exercising control of State Material Reserves in this area, preparing suggestions on the volume, classification and formation of State Material Reserves, carrying out operations involving collection, storage, protection, renewal, release, restoration and loaning (withdrawal from State Material Reserves) of State Material Reserves and implementing assignments pertaining to international humanitarian assistance.
2. In its activity, the Agency shall be governed by the Constitution of the Azerbaijan Republic, international agreements to which the Azerbaijan Republic is a signatory, laws of the Azerbaijan Republic, decrees and resolutions of the President of the Azerbaijan Republic, decisions and resolutions of the Cabinet of Ministers of the Azerbaijan Republic, the Regulations of the Ministry of Emergencies of the Azerbaijan Republic, the present Regulations and the orders and instructions of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as the Ministry).
3. The Agency shall carry out its activity directly by means of enterprises where reserves are stored, as well as departments, enterprises and organizations subordinated to it (hereinafter referred to as Enterprises where State Material Reserves are stored), regardless of their affiliation and proprietary status.
4. The Agency shall have an independent balance sheet, the seal with the image of the state coat-of-arms of the Azerbaijan Republic and the name of the Agency, relevant stamps and letter-heads, treasury and bank accounts.
5. Expenses on keeping and operating the Agency shall be financed from the state budget resources approved by the Ministry and other sources which do not run counter to the existing legislation.
6. The Agency shall be based in the city of Baku.

II. Activity directions of the Agency

7. Activity directions of the Agency shall be as follows:
 - 7.1. To take part in the preparation of a state policy and statutory and legal regulation in the area of managing state material reserves;
 - 7.2. To organize and carry out management of state material reserves;
 - 7.3. To take part in the implementation of the control function on issues pertaining to the Agency authority;
 - 7.4. To ensure state-guaranteed order in the creation of state material reserves;
 - 7.5. To ensure development of areas pertaining to activity directions of the Agency;

7.6. To engage in other areas established by national legislation.

III. Responsibilities of the Agency

8. In accordance with the activity directions established by the present Regulations, the Agency shall have the following responsibilities:

8.1. To prepare suggestions on the volume, classification and collection norms of state material reserves, on the rules for their formation, collection, use, renewal, release, restoration and loaning, and submit them to the Ministry in an relevant order;

8.2. To prepare and submit to the Ministry draft regulatory and legal acts pertaining to the activity of the Agency and to submit them to the Ministry in an relevant order for approval;

8.3. To prepare draft regulations of structural subdivisions of the Agency financed from the state budget (or the charters of subdivisions expected to work on the principle of self-sufficiency) and to submit them to the Ministry in an relevant order for approval;

8.4. To take part in the formation and management of state material reserves;

8.5. In order to ensure prompt elimination of the consequences of emergency situations, to take part in the formation and management of current material reserves supervised by the Ministry;

8.6. To carry out state orders with regard to regulating stability in the domestic market of strategically important commodities of the national economy;

8.7. To ensure collection, storage, renewal and use of material resources in state material reserves (as well as the fund of current material reserves supervised by the Ministry) in an order established by legislation, and to exercise control over this as far as its authority permits;

8.8. To exercise control, as far as its authority permits, over payment for the value of commodities released from state material reserves and replenishment of reserves;

8.9. To ensure confidentiality of information pertaining to state material reserves in an order established by legislation;

8.10. To use the resources allocated for the activity of the Agency, as far as its authority permits, in accordance with the intended aims;

8.11. To exercise control over the condition of reserves at enterprises where state material reserves are stored, examine their movement, remainder and quality, and to issue instructions to eliminate any shortcomings;

8.12. To take part, as far as its authority permits, in the delivery of humanitarian assistance (including the assistance received from and sent to foreign countries);

- 8.13. To exercise control over compliance of commodities at enterprises where state material reserves are stored with the relevant classification, state standards and technical specifications;
- 8.14. To submit suggestions to the Ministry with regard to selecting sites for the construction of new enterprises for the storage of state material reserves and ensuring the storage of reserves in different locations;
- 8.15. To ensure implementation, as far as its authority permits, of the confirmed orders for the collection, release, renewal, restoration and replacement of state material reserves;
- 8.16. To prepare opinions with regard to the issues concerning the management of state material reserves on the part of relevant state bodies and enterprises where state material reserves are stored, and to submit them to the Ministry;
- 8.17. To carry out financing of the departments, enterprises and organizations subordinated to the Agency in an established order;
- 8.18. To organize record-keeping and reporting procedures at departments, enterprises and organizations subordinated to the Agency, and to submit statistical and accounting reports in an established order;
- 8.19. To carry out the function of a customer for the creation of state material reserves and to implement accounting on purchases;
- 8.20. To submit suggestions to the Ministry with regard to the collection and loaning of state material reserves;
- 8.21. To organize registration of state material reserves, to maintain a summary of their availability and movement, and to report to the Ministry on the volume and movement of state material reserves at established intervals;
- 8.22. To ensure management of departments, enterprises and organizations subordinated to the Agency, to carry out activities to ensure goal-oriented use of state material reserves and improve effectiveness of expenditure on their storage;
- 8.23. To submit suggestions to the Ministry towards improving the material and technical logistics of entities subordinated to the Agency;
- 8.24. To carry out activities, as far as its authority permits, in the area of protection of state property and fire safety, preparation for civil defense and mobilization;
- 8.25. To submit suggestions to the Ministry with regard to improving the work of its subdivisions and to take relevant measures as far as its authority permits;
- 8.26. To review the incoming complaints and comments about the activity of the Agency and to take measures in an order envisaged by legislation;
- 8.27. To carry out other activities in accordance with activity directions of the Agency, as envisaged by legislation.

IV. Rights of the Agency

9. In order to carry out its responsibilities, the Agency shall have the following rights:

9.1. To prepare and take part in the preparation of draft regulatory and legal documents in the area of creation and use of state material reserves;

9.2. To submit suggestions to the Ministry with regard to creating, re-organizing and abolishing structural subdivisions of the Agency;

9.3. To examine the condition of commodities accepted at enterprises where state material reserves are stored, examine their movement, availability and quality, as well as the compliance of such commodities with the relevant classification, state standards and technical specifications and to issue instructions to eliminate any shortcomings;

9.4. To receive information from enterprises where state material reserves are stored in order to determine the classification and volume and to ensure placement of state material reserves;

9.5. To take measures in accordance with legislation in the event of breach of conditions on the collection, storage, renewal and management of state material reserves, as well as failure to reimburse the value of borrowed or illegitimately withdrawn material assets to state material reserves;

9.6. To submit suggestions to the Ministry with regard to the establishment of entities expected to operate on the principle of self-sufficiency;

9.7. To manage the financial resources at its disposal in an established order and as far as its authority permits;

9.8. To send enquiries to state and local government bodies, physical individuals and legal entities to obtain information on issues pertaining to the authority of the Agency, and to demand submission of such information (documents) from them;

9.9. To file motion with the Ministry with regard to arranging for prophylactics, treatment, sanatorium, resort and other social protection measures to protect the health of military servicemen of the Agency, civilian workers of the staff and divisions subordinated to the Agency, pensioners, as well as their family members;

9.10. To cooperate, as far as its authority permits, with foreign countries, international organizations and non-governmental organizations of foreign countries in the provision and receipt of humanitarian assistance in connection with the elimination of consequences of emergency situations;

9.11. To exercise other rights pertaining to the activity directions of the Agency in accordance with legislation.

V. Organization of activity of the Agency

10. The staff and subdivisions included into the structure of the Agency shall constitute a single system.

11. Personnel numbers and schedule, structure, budget expenditure, as well as incomes and expenditure from other sources of all divisions subordinated to the Agency within the framework of resources financed from the budget of the Agency and subdivisions subordinated to it and approved by the President of the Azerbaijan Republic, shall be approved by the Ministry.

12. The recruitment to military service and appointment to a position within the Agency staff, as well as discharge from military service and dismissal from positions, shall be carried out by the Minister of Emergencies of the Azerbaijan Republic.

The appointment to and dismissal from civilian positions within the Agency shall be carried out by the Minister of Emergencies of the Azerbaijan Republic in line with legislation.

13. Civilian employees of the Agency staff shall have the status of public officers.

14. The salaries of military servicemen of the Agency and additional benefits for a military rank, as well as other types of financial remuneration, shall be established in accordance with staff and military rank salaries and other types of financial remuneration of servicemen of the Ministry of Defense of the Azerbaijan Republic, while salaries of civilian employees of Inspectorate subdivisions financed from the state budget shall be established in line with legislation.

15. Pension shall be provided to retired employees of the Agency and their family members in an order established by legislation.

16. Funding of the Agency staff and its divisions shall be implemented from the state budget at the expense of the funds envisaged in the state budget for keeping the Ministry.

17. The rules and conditions of military service for military servicemen of the Agency shall be established by relevant legislation.

18. The activity of the Agency shall be managed by the Chief of service who shall be appointed to and dismissed from the position by the Minister of Emergencies of the Azerbaijan Republic.

19. The Chief will be personally responsible for the implementation of the responsibilities and exercise of rights entrusted to the Agency.

20. The Chief of the Agency shall have two deputies who shall be appointed to and dismissed from the position by the Minister of Emergencies of the Azerbaijan Republic.

21. Deputy Chiefs shall fulfill the instructions entrusted to them by the Agency Chief and shall be personally responsible for their implementation.

22. The Chief shall have the following authority:

22.1. To organize and manage the activity of the Agency;

- 22.2. To determine the responsibilities of his deputies;
- 22.3. To submit motions to the Ministry with regard to applying remuneration and disciplinary sanctions to military servicemen and civilian employees of structural subdivisions subordinated to the Agency as envisaged by legislation;
- 22.4. To issue orders, resolutions and instructions with regard to the activity of the Agency staff and the entities subordinated to it;
- 22.5. To submit suggestions to the Ministry with regard to strengthening the material and technical logistics of the Agency;
- 22.6. To take part, as far its authority permits, in international negotiations with regard to the activity directions of the Agency;
- 22.7. To prepare draft regulations of structural subdivisions of the Agency financed from the state budget (or the charters of subdivisions expected to work on the principle of self-sufficiency) and to submit them to the Ministry in an relevant order for approval;
- 22.8. To ensure implementation of the responsibilities established by the present Regulations;
- 22.9. To submit suggestions to the Ministry with regard to the structure and amount of expenditure on the system of state material reserves to be included into the draft state budget for the next year;
- 22.10. To act as a plaintiff and defendant in legal proceedings on issues pertaining to the Agency authority behalf of the Ministry within the framework of authorities entrusted by the Ministry;
- 22.11. To have our other authority in accordance with legislation of the Azerbaijan Republic.

*Approved by Decree No 511 of the
President of the Azerbaijan Republic
dated 29 December 2006*

Regulations of the State Agency for Control over Safety in Construction of the Ministry of Emergencies of the Azerbaijan Republic

I. General provisions

1. The State Agency for Control over Safety in Construction of the Ministry of emergencies of the Azerbaijan Republic (hereinafter referred to as the Agency) shall be the body of executive authority taking part in the preparation of a state policy with regard to safety requirements pertaining to all stages of construction operations on the territory

of the country within the framework of its authority and in an order established by legislation, ensuring the implementation of this policy and exercising state control in this sphere.

2. In its activity, the Agency shall be governed by the Constitution of the Azerbaijan Republic, international agreements to which the Azerbaijan Republic is a signatory, laws of the Azerbaijan Republic, decrees and resolutions of the President of the Azerbaijan Republic, decisions and resolutions of the Cabinet of Ministers of the Azerbaijan Republic, the Regulations of the Ministry of Emergencies of the Azerbaijan Republic, the present Regulations and the orders and instructions of the Ministry of Emergencies of the Azerbaijan Republic (hereinafter referred to as the Ministry).

3. While fulfilling its responsibilities, the Agency shall function in mutual contact with structural subdivisions subordinated to it, other bodies of executive authority and local government bodies, non-governmental organizations.

4. The Agency shall have an independent balance sheet, state property at its property as envisaged by legislation, the seal with the image of the state coat-of-arms of the Azerbaijan Republic and the name of the Agency, relevant stamps and letter-heads, treasury and bank accounts.

5. Expenses on keeping and operating the Agency shall be financed from the state budget resources approved by the Ministry and other sources which do not run counter to the existing legislation.

6. The Agency shall be based in the city of Baku.

II. Activity directions of the Agency

7. Activity directions of the Agency shall be as follows:

7.1. To take part in the preparation of a state policy with regard to safety requirements pertaining to all stages of construction operations within the framework of its authority, to ensure the implementation of this policy and to exercise state control in this sphere;

7.2. To take part, together with other structural subdivisions of the Ministry, in the organization of protection of territories, buildings and facilities from emergency situations and elimination of their consequences;

7.3. To ensure development of areas pertaining to the activity directions of the Agency;

7.4. To engage in other areas pertaining to the Agency authority in line with legislation.

III. Responsibilities of the Agency

8. In accordance with the activity directions established by the present Regulations, the Agency shall have the following responsibilities:

8.1. To prepare, together with relevant bodies of the Ministry, draft documents on the following issues, and to submit them to the Ministry:

8.1.1. Suggestions with regard to the formation and implementation of a state policy and regulation mechanisms in the area of protecting territories, buildings and facilities from emergency situations and ensuring safety in construction;

8.1.2. Suggestions with regard to the allocation of land for construction and (or) issue of permission for construction, improving the rules for determining architectural and planning solutions and engineering support for construction from the standpoint of ensuring safety standards;

8.1.3. As far its authority permits, drafts of regulatory and legal documents on mapping, geodetic, engineering, geological, design, expertise, including state expertise, implementation of construction and mounting operations, application of construction materials, facilities and equipment, acceptance of construction facilities, price-setting and state control in the construction sector;

8.1.4. Drafts regulations (charters) of the organizations subordinated to the Agency and its staff;

8.1.5. Other regulatory and legal acts pertaining to the activity of the Agency;

8.2. To take part in the preparation of regulatory and legal acts pertaining to the area of construction and construction materials on the part of other state bodies;

8.3. To take part in the preparation of the draft National Concept of the Azerbaijan Republic and other programs on prevention and elimination of consequences of emergency situations;

8.4. In order to promptly organize prevention and elimination of consequences of emergency situations, to take part in the creation of the Geographical Information System (GIS) for the Management of Emergency Situations, which would cover the entire territory of the Azerbaijan Republic;

8.5. To take part in the determining the zones of potential natural and man-made disasters on the territory of the country and in the preparation of a master plan on stationing defense facilities to protect them from such emergency situations, and to organize design and construction of such facilities;

8.6. To organize, as far as its authority permits, in the preparation of activities to increase seismic resistance of buildings and facilities and strengthen their ability to withstand natural calamities, and to exercise control over implementation of such measures;

8.7. To exercise control, as far as its authority permits, over compliance with construction norms and regulations in the design, construction and mounting operations to defend territories, buildings and facilities from natural and man-made disasters;

- 8.8. To take part, together with other subdivisions of the Ministry, in emergency restoration of life in territories, buildings and facilities affected by natural calamities and man-made disasters;
- 8.9. To arrange for investigating the reasons for the damage caused to territories, buildings and facilities affected by natural calamities and man-made disasters and to ensure evaluation of the damage caused as a result of such calamities;
- 8.10. To organize restoration and reconstruction work at territories, buildings and facilities affected by natural calamities and man-made disasters and to act in the capacity of customer in implementing such work;
- 8.11. To issue an opinion to the Ministry with regard to the provision of special permits (licenses), permissions and other legal documents pertaining to construction activities in cases and in an order established by national legislation;
- 8.12. To take part, as far as its authority permits, in the preparation of draft master plans and detailed plans of towns and district centers, residential and development schemes of territories, and to issue an opinion with regard to compliance of such documents to safety norms;
- 8.13. To exercise control, as far as its authority permits, over compliance with relevant safety norms and regulations in the construction sector, draft master plans and detailed plans and residential and development schemes of territories by all state and local government bodies during the town-planning and settlement processes on the territory of the country and during the construction of social and infrastructure facilities;
- 8.14. To improve, from the safety standpoint, relevant safety norms and regulations in the construction sector pertaining to town-planning and settlement processes, construction of social and infrastructure facilities, and to exercise control over compliance with such regulations;
- 8.15. To issue an opinion with regard to the possibility and advisability of building facilities in historical and central parts of towns and districts from the safety standpoint;
- 8.16. To analyze the mapping, geodetic, engineering and geological work with regard to construction facilities and to issue an opinion on whether or not such facilities comply with construction safety norms and regulations;
- 8.17. To issue an opinion, at the stage of allocation of land plots for construction, with regard to the possibility of allocating plots of land from the standpoint of their seismic resistance;
- 8.18. To take organizational measures to improve the construction safety methodology of mapping, geodetic, engineering and geological work for construction facilities, to ensure its implementation and exercise control over its execution;
- 8.19. To organize state expertise at construction sites and to issue an opinion on the following issues:

8.19.1. Compliance of documents presented for state expertise with relevant rules in terms of their completeness and conformity with certain requirements;

8.19.2. Compliance of master plans and detailed plans of towns and district centers, residential and development schemes with town-planning norms and regulations from the standpoint of safety;

8.19.3. Compliance of projects on construction, restoration, reconstruction and major overhaul facilities with construction norms, as well as compliance of buildings, facilities and compounds under construction with designed durability, seismic resistance and safety requirements;

8.19.4. Technical and economic estimates, feasibility studies and cost estimates of construction, restoration, reconstruction and major overhaul facilities financed from the state budget, out-of-budget funds, state-guaranteed credits and grants;

8.19.5. Compliance of facilities with requirements pertaining to mothballing and liquidation of facilities;

8.20. To ensure preparation and implementation of activities with regard to improving state expertise regulations in the construction sector;

8.21. To ensure implementation of mapping, geodetic, engineering and geological design, as well as construction and mounting operations, improvement of regulatory, legal and technical documents pertaining to the application of construction materials, facilities and equipment, and to exercise control, as far as its authority permits, over compliance with their requirements on the part of all bodies and organizations regardless of their affiliation and proprietary status;

8.22. To carry out the following activities, as far as its authority permits, in order to ensure compliance with regulatory, legal and technical documents at all construction, restoration, reconstruction and major overhaul facilities regardless of their affiliation and proprietary status;

8.22.1. To register facilities which have been designed in an established order, passed and received the approval of state expertise, and to exercise control over the commencement of construction and mounting operations provided that the requirements of construction norms and regulations are observed;

8.22.2. To exercise control over compliance of construction and mounting operations with approved design, construction norms and regulations at all stages;

8.22.3. To examine the availability of relevant certificates for construction materials, facilities and equipment used in construction, their compliance with the requirements of state standards, and to examine, before commissioning them, whether they have passed safety expertise in an established order;

8.22.4. To exercise control, in an established order, over performance of technical supervision on the part of the customer, author's supervision on the part of the designer and in-house operational control on the part of the contractor;

8.22.5. To exercise control over compliance with safety procedures at the construction site and on adjacent territories.

8.23. To take measures in an order established by legislation against legal entities and individuals guilty of carrying out construction projects with violations of construction norms and regulations;

8.24. To prepare suggestions with regard to the performance of state control, technical supervision on the part of the customer, author's supervision on the part of the designer and in-house operational control on the part of the contractor at construction, restoration, reconstruction and major overhaul facilities, and to submit them to the Ministry;

8.25. To submit suggestions to the Ministry with regard to the make-up of Expert Group established to determine the feasibility and advisability of designed construction projects and operating free of charge, and to organize the work of this Group;

8.26. To take part, as far as its authority permits, in the certification of construction materials and facilities produced in and imported to the country, equipment (parts) used in construction, as well as machines and mechanisms, on compliance with safety requirements;

8.27. To prepare an action plan on improving, from the standpoint of safety requirements, the regulatory and technical documents pertaining to construction, construction materials and facilities and equipment (parts), and to exercise control over its implementation;

8.28. To arrange for accreditation of laboratories for testing construction materials and facilities, as well as equipment (parts) used in construction;

8.29. To prepare, together with relevant subdivisions of the Ministry, an action plan on improving the testing methodology for construction materials and facilities, as well as equipment (parts) used in construction, and to exercise control over its implementation;

8.30. To carry out price-setting activities on facilities built at the expense of the state budget, out-of-budget resources, state-guaranteed credits and grants;

8.31. To take part in the acceptance of construction, restoration, reconstruction and major overhaul facilities regardless of their affiliation and proprietary status, to conduct a technical inventory of facilities from the safety standpoint and to carry out activities to improve acceptance regulations of such facilities;

8.32. To carry out scientific research and experimental design activities with regard to construction, construction materials and facilities, equipment, machines and mechanisms used in the construction sector;

- 8.33. To create a single database and archive of documents pertaining to the implementation of mapping, geodetic, engineering, geological, design, construction and mounting operations on completely built facilities and those under construction;
- 8.34. To prepare activities to prevent unauthorized reconstruction and dismantling operations on residential blocks, buildings and facilities already in operation and posing the threat of falling apart and collapsing, and to exercise control over their implementation;
- 8.35. To examine whether residential blocks, buildings and facilities already in operation, places of large concentration of people, facilities located in residential settlements and posing a potential threat to the surroundings have been built and are being used in accordance with relevant norms and regulations, to issue an opinion with regard to the acceptability of their further operation and to file motion with the Ministry with regard to suspending their operation;
- 8.36. To prepare an action plan to prevent illegal construction of facilities and to exercise control over its implementation;
- 8.37. To take measures, as far as its authority permits and as envisaged by legislation, to eliminate violations discovered at the stage of construction activities, including the allocation of plots of land for construction (issue of permission for construction), determination of technical conditions for architectural, planning and engineering support of construction facilities, mapping, geodetic, engineering, geological, design, construction and mounting operations and at the stage of acceptance of construction facilities for operation;
- 8.38. To prepare master plans and construction projects on the construction and development of camps for civil defense troops, search and rescue, emergency and other services;
- 8.39. To take part in scientific research and experimental design activities in the area of preventing and eliminating the consequences of emergency situations;
- 8.40. To take measures envisaged by legislation in the area of selecting contractor for construction, repair and restoration operations pertaining to the prevention and elimination of consequences of emergency situations at the expense of the state budget and out-of-budget funds;
- 8.41. To take measures in an order established by legislation to ensure reimbursement of the damage caused as a result of emergency situations;
- 8.42. To arrange for statistical record of issues pertaining to the activity directions of the Agency in an order agreed with the Ministry;
- 8.43. To prepare programs on training, retraining and improvement of qualification for personnel engaged in activity directions of the Agency and submit suggestions to the Ministry with regard to their implementation;
- 8.44. To ensure that the budget funds, credits, grants and other financial resources allocated to the Agency in an order established by legislation are used effectively;

- 8.45. To submit suggestions to the Ministry with regard to forming the Agency structure;
- 8.46. To exercise control, as far as its authority permits, over whether the Agency staff and its structural subdivisions financed from the state budget comply with relevant regulatory and legal acts, as well as relevant guidelines of the Ministry, on personnel, financial and economic issues;
- 8.47. To review the incoming complaints and comments about the activity of the Agency and to take measures in an order envisaged by relevant guidelines of the Ministry;
- 8.48. To ensure, as far as its authority permits, protection of state secrets and confidentiality in accordance with legislation and relevant guidelines of the Ministry;
- 8.49. To carry out other activities pertaining to the activity directions of the Agency as envisaged by legislation.

IV. Rights of the Agency

9. To carry out its responsibilities, the Agency shall have the following rights:
- 9.1. To prepare draft regulatory and legal acts in the area of ensuring safety in construction and (or) to take part in their preparation;
- 9.2. If town-planning, pre-project and cost estimate documents submitted for state expertise are not available in full and do not meet the requirement, to issue a negative opinion while indicating the demand to eliminate the discovered violations;
- 9.3. If the documents submitted for state expertise meet the requirements of design norms and regulations or if the violations discovered in them at the stage of expertise are subsequently eliminated, to issue a positive opinion on them;
- 9.4. To raise the issue with the Ministry with regard to measures to be taken against senior officials of state and local government bodies for failing to observe their obligations in the area of prevention and elimination of consequences of emergency situations;
- 9.5. If construction norms and regulations are not observed at the stage of mapping, geodetic, engineering, geological, design, construction and mounting operations, if unauthorized reconstruction and dismantling activities are held in buildings and facilities already in operation, to take measures, in an order established by legislation, against all physical individuals and legal entities who have committed such violations;
- 9.6. In the event of violation of construction norms and regulations during the implementation of construction and amounting activities, to take relevant measures, as far as its authority permits, to suspend construction and eliminate the discovered shortcomings;

- 9.7. In the event of establishment that the buildings and facilities, as well as the installations located in places of gathering of people, pose a threat to residential settlements, to raise the issue with the Ministry with regard to taking relevant measures;
- 9.8. To suspend, as far as its authority permits, unauthorized construction projects and take other measures in an order established by legislation;
- 9.9. In the event of breach of acceptance regulations for construction and major overhaul facilities and in the event of operation of such facilities without the established acceptance procedure, to raise the issue with the Ministry with regard to measures to be taken against persons guilty of such violations;
- 9.10. To issue an opinion about the construction materials and facilities produced in and imported to the country, equipment, machinery and mechanisms used in construction, and to submit suggestions to the Ministry, in an order established by legislation, with regard to taking measures in connection with the production and import of materials not meeting safety standards and requirements;
- 9.11. To apply payments to services provided by organizations subordinated to the Agency in an order established by legislation and to take part in the formation of the out-of-budget fund of the Ministry due to obtained proceeds;
- 9.12. To send enquiries to state and local government bodies, seek information (documents) pertaining to the activity directions of the Agency from physical individuals and legal entities and demand that they submit such information (documents);
- 9.13. To act as a plaintiff and defendant in legal proceedings on issues pertaining to the Agency authority;
- 9.14. In order to discuss pressing issues pertaining to the activity of the Agency, to create inter-departmental coordination and consultation bodies and, if necessary, engage specialists and experts;
- 9.15. To manage budget resources at its disposal in an order established by legislation;
- 9.16. To submit suggestions to the Ministry with regard to prophylactics, treatment, sanatorium, resort and other social protection measures to protect the health of employees of the Agency, as well as their family members;
- 9.17. To cooperate, in an order established by legislation, with international organizations, executive authorities (bodies) of foreign countries, and to exchange experience with them;
- 9.18. To take part in the preparation of the Ministry's training, retraining and improvement of qualification programs for its personnel;
- 9.19. To publish newspapers, magazines and bulletins in an order established by legislation and approved by the Ministry, and to take part in the activity of the section of the Ministry's web site pertaining to the Agency;

9.20. To carry out other activities pertaining to the activity direction of the Agency as envisaged by legislation.

V. Organization of the Agency activity

10. The Agency staff and the organizations subordinated to it shall constitute a single system.

11. Material provision of the Agency staff, as well as public officers of the Main State Construction Inspectorate and the United Administration on Facilities under Construction which are implementing the functions listed in Paragraph 1 of the present Regulations within the framework of their responsibilities and are funded from the state budget, shall be carried out in accordance with relevant legislation of the Azerbaijan Republic. Salaries of other structural subdivisions of the Agency funded from the state budget who are not considered to be public officers, shall be established in accordance with legislation.

12. The structure of the Inspectorate and personnel numbers within the framework of resources financed from the Agency budget and approved by the President of the Azerbaijan Republic, including staff and employees of special rank subordinated to the Inspectorate, shall be approved by the Minister of Emergencies of the Azerbaijan Republic.

13. Employees of the Agency staff and its structural subdivisions shall be appointed to and dismissed from their positions by the Minister of Emergencies of the Azerbaijan Republic.

14. The activity of the Agency shall be managed by the chief (hereinafter referred to as the Chief). The Chief shall be appointed to and dismissed from their positions by the Minister of Emergencies of the Azerbaijan Republic.

15. The Chief of the Agency shall be personally responsible for the implementation of responsibilities entrusted to the Agency and the exercise of its rights.

16. The Chief of the Agency shall have two deputies who shall be appointed to and dismissed from the position by the Minister of Emergencies of the Azerbaijan Republic.

17. The Agency Chief shall have the following responsibilities:

17.1. To organize the activity of the Agency and manage its financial and economic performance;

17.2. To determine the responsibilities of his deputies and to exercise control over their implementation;

17.3. To put forward suggestions with regard to the proposed expenditure of the Ministry for the next year concerning issues related to the authority of the Agency, to take part in the formation of out-of-budget resources of the Ministry at the expense of sources envisaged by legislation and to ensure goal-oriented use of the said resources in accordance with the cost estimate of revenues and expenditure of the Ministry;

- 17.4. To submit suggestions to the Ministry concerning the establishment, re-organization and closure of organizations subordinated to the Agency;
- 17.5. To submit to the Ministry draft regulatory and legal acts pertaining to the activity directions of the Agency;
- 17.6. To abolish, as far as his authority permits, any orders and instructions issued by senior officials of the Agency if they run counter to legislation;
- 17.7. To submit suggestions to the Ministry with regard to persons authorized to compile protocols, acts and other documents pertaining to administrative offences, as envisaged by legislation;
- 17.8. To submit motions to the Ministry with regard to applying remuneration and disciplinary sanctions to employees of divisions subordinated to the Agency as envisaged by legislation;
- 17.9. To issue, as far as his authority permits, orders and instructions pertaining to the activity of the Agency staff and organizations subordinated to it, and to exercise control over their implementation;
17. 10. To submit suggestions to the Ministry with regard to strengthening the material, technical and social logistics of the Agency;
- 17.11. To prepare draft regulations of structural subdivisions of the Agency financed from the state budget (or the charters of subdivisions expected to work on the principle of self-sufficiency) and to submit them to the Ministry in an relevant order for approval;
- 17.12. To ensure implementation of the responsibilities of the Agency established by the present Regulations;
- 17.13. To manage, as far as his authority permits and in an order established by legislation, the financial resources of the Agency allocated from the state budget to the Ministry and those not running counter to law, to file motion with the Ministry with regard to paying extra remuneration, material aid and bonuses to employees of the Agency;
- 17.14. To manage financial and economic performance of the Agency;
- 17.15. To ensure implementation of the responsibilities established by the present regulations and to have other authority:

18. A public Council shall be established within the Agency, comprised of the Chief, his deputies, the Agency staff and heads of organizations subordinated to it.

19. The number of Council members and its composition, as well as its organization and activity principles shall be determined by the Minister of Emergencies of the Azerbaijan Republic following a motion from the Agency.

© *VneshExpertService LLC*
Non-official translation