

**REPUBLIC OF AZERBAIJAN  
COLLEGIATE OF THE MINISTRY OF ECONOMY**

**DECISION**

# 02

**Baku city**

**April 25 2012**

**On approval of the “Rules on issuing certificates confirming the country of origin of goods”**

To ensure implementation of Section 3, Decree 717, dated March 05 2008 of the President of the Republic of Azerbaijan, Section 1.2, Decree 407 dated April 13, 2011 and *the Subsection 3.0.42 “Of the Regulation on the State Service for Antimonopoly Policy and Protection of Consumer Rights under the Ministry of Economy of the Republic of Azerbaijan” as approved by Decree 888 dated April 28, 2016* and optimize the periods for issuing certificate proving the country of origin of goods, the number of required documentation and procedures, the collegiate of the Ministry of Economy of the Republic of Azerbaijan, in keeping with Section 17-1.1 of the “Sample Regulation of the Central executive powers” as approved by Decree 363, dated February 13, 2006 and sections 4.7 and 5.11 of the “Regulation on the Ministry of Economic Development of the Republic of Azerbaijan” as approved by Decree 504, dated February 28, 2006.<sup>1</sup>

**RESOLVED:**

1. The report made by Zahid Isayev, Head of the State Service for Antimonopoly Policy and Protection of Consumer Rights under the Ministry of Economic Development of the Republic of Azerbaijan on approval of the “Rules on issuing the certificate proving the country of origin of goods” shall be taken into account.
2. “Rules on issuing a certificate proving the country of origin of goods” shall be approved (appended).
3. Head of the Law Department Anar Aliyev shall be instructed to ensure referral to the Ministry of Justice of the Republic of Azerbaijan and take other necessary measures in order to ensure entry is made in the State Register of Legal Acts of the Republic of Azerbaijan about the “Rules on issuing a certificate proving the country of origin of goods” as approved under Section 2 of this Regulation.
4. *The State Service for Antimonopoly and Control over the Consumer Markets under the Ministry of Economy of the Republic of Azerbaijan* shall be instructed to ensure the certificate proving the country of origin of goods is issued and the expertise to determine the country of origin of goods through the legal person under the *State Service for Antimonopoly and Control over the Consumer Markets* under the Ministry of Economy of the Republic of Azerbaijan is carried out in line with the “Rules on issuing the certificate proving the country of origin of goods” as approved by Section 2 of this Rule.<sup>2</sup>
5. The order No. 56 dated December 24 2001 (No 2734 dated December 27 2001) of the Ministry of Economic Development of the Republic of Azerbaijan “On approval of the

“Rules on issuing the certificate on the origin of goods where necessary to remove the goods from the customs territory of the Republic of Azerbaijan and if envisioned in the respective contracts (agreements), regulatory legal acts or the international treaties to which the Republic of Azerbaijan is a party.

6. This Decision takes force at the moment of its publication in the electronic version of the State Register of Legal Acts of the Republic of Azerbaijan.

7. The Secretary of the Collegium, Head of the General Department Rovshan Atashov shall be instructed to ensure a copy of the Decision is delivered as per the delivery list.

8. I retain the right to oversee implementation of this decision.

**Base:** Minutes of the session dated 25.04.12 of the collegiums of the Ministry of Economic Development.

**Chairman,  
Minister of Economic Development**

**Shahin Mustafayev**

Approved under Decision 02 dated April 25, 2012 of the Collegium of the Ministry of Economic Development of the Republic of Azerbaijan.

## **Rules on issuing the certificate proving the country of origin of goods**

### **1. General provisions**

1.1. These Rules have been developed based on Section 3, Decree 717 dated March 05, 2008, of the President of the Republic of Azerbaijan "On matters arising out of decree 504 dated December 28, 2006 of the President of the Republic of Azerbaijan "On measures to improve the work of the Ministry of Economic Development of the Republic of Azerbaijan" and Subsection 3.0.42 of the "Regulation on the State Service for Antimonopoly Policy and Protection of Consumer Rights under the Ministry of Economy of the Republic of Azerbaijan" as approved by Decree 888, dated April 28, 2016 and establishes the rules for conducting expertise to determine the country of origin of goods and issuance of the certificate (hereinafter – certificate of origin) proving the country of origin of goods based on the expertise results.<sup>3</sup>

1.2. The certificate of origin is issued by the State Service for Antimonopoly and Control over Consumer Markets under the Ministry of Economy of the Republic of Azerbaijan (hereinafter – State Service) against the request of legal and physical persons (hereinafter – customer). The State Service examines the request for issuing the certificate of origin by Customer within not later than 1 (one) day period since its submission and makes proper decision.<sup>4</sup>

1.3. Expertise for determining the country of origin of goods is conducted by "Consumer Goods Expertise Center" LLC (hereinafter – Company) under the State Service.<sup>5</sup>

1.4. State duty is paid for issuing the certificate of origin. The expertise services to determine the country of origin of goods are rendered against the agreements made between the customers and the Company on a paid basis and the service rates are fixed by the Tariff (price) Council of the Republic of Azerbaijan.

### **2. Rule for issuing the certificate of origin**

2.1. Administrative proceedings related to the issuance of the certificate of origin are carried out in accordance with the Law of the Republic of Azerbaijan "On Administrative Proceedings" and these Rules.

2.2. The customer submits the application for the certificate of origin to the State Service in person or through a representative, or sends it by mail or electronically.

2.3. The application is made in written form and contains the following information:

2.3.1. the name of the body to which the application is addressed;

2.3.2. if the applicant is a natural person, his/her surname, first name, father's name and address, information about the identity document;

2.3.3. if the application is submitted on behalf of a legal entity, its name and legal address;

2.3.4. brief content of the request, which contains information about the details of the contract concluded by the customer with the buyer, the name of the buyer, the quantity and

name of the goods, the type of transport by which the goods will be transported, and the country of origin of the goods;

2.3.5. the date of the application and the signature of the applicant or his representative;

2.3.6. the signature of the head or representative of the legal entity and the seal of the legal entity;

2.3.7. list of documents attached to the application.

2.4. The following documents are attached to the application:

2.4.1. if the customer is a legal entity, a copy of the state registration certificate and an extract from the state register of legal entities;

2.4.2. if the customer is a natural person engaged in entrepreneurial activity without creating a legal entity, a copy of the tax accounting certificate of the natural person;

2.4.3. a copy of the contract concluded between the customer and the buyer (if any);

2.4.4. a copy of the invoice;

2.4.5. a copy of the contract or other confirming documents confirming the purchase of primary raw materials, semi-finished products or other materials involved in the production of the exported product;

2.4.6. if the primary raw material, semi-finished product, or other materials involved in the production of the exported product originate from a foreign country, as a result of processing, there is a change in the position of the product according to the commodity nomenclature of foreign economic activity (XIF EN) at the level of at least one of the first four digits, or the rule of ad valorem share is applied a document (calculation) related to the value of the used materials reaching the percentage of the price of the sent goods.

2.5. Documents not provided for in clause 2.4 of these Regulations may not be requested from the customer. The customer is informed that he is responsible for the correctness of the submitted documents and the information provided in them in accordance with the legislation.

2.6. The application and the documents attached to it are accepted by the State Service on the day they are submitted, registered in a special book, and a certificate is given or sent to the applicant or his representative about the registration date and number of the application.

2.7. If any deficiencies and inconsistencies are not found in the submitted documents, they are submitted to the Society by the State Service no later than 1 (one) day for the examination on the determination of the country of origin of the goods. Documents are accepted by the Company, registered in a special book, and a contract is concluded between the Company and the customer for the services provided for the purpose of conducting an examination on the determination of the country of origin of the goods.

2.8. If deficiencies and inconsistencies are discovered by the State Service in the submitted documents, the customer is informed about this no later than 1 (one) day from the date of submission of the application. In the information, deficiencies and inconsistencies in the documents are specified, a period of not later than 15 (fifteen) days is set for elimination of deficiencies and inconsistencies, and the legal consequences of non-compliance with formal requirements are explained to the customer.

2.9. In cases where deficiencies and inconsistencies are detected by the State Service in the submitted documents and information, the period specified in clause 1.2 of these Regulations shall be suspended and the period shall resume from the moment the customer submits additional documents or information to the State Service. If additional documents

and information are not submitted within the period set by the State Service for the submission of additional documents and information, the application will be kept unreviewed in the established manner.

2.10. The customer has the right to make a repeated application to the State Service on the grounds and in the manner specified in Article 35 of the Law of the Republic of Azerbaijan "On Administrative Proceedings".

2.11. Based on the submitted documents, the company's expert determines the country of origin of the goods in accordance with the procedure for determining the country of origin of the goods. During the examination, the existence of the exported goods lot, whether the technological process of the goods is produced in stages, whether there are necessary equipment and conditions for production are investigated.

2.12. Sample in Appendix No. 1 based on the results of the expert's examination.

2.13. The inspection report is drawn up for a batch of goods ready for loading. The expert report should be drawn up precisely and no amendments or drafts should be allowed.

2.14. Based on the results of the examination, the State Service makes an appropriate decision on the customer's application.

2.15. When the decision to issue a certificate of origin is made, the certificate of origin is drawn up by the State Service, it is confirmed by the signature of the authorized person and the seal of the State Service. The presentation of the certificate of origin to the customer is carried out in accordance with Article 62 of the Law of the Republic of Azerbaijan "On Administrative Proceedings" after a copy of the receipt for the payment of the state fee for the issuance of the certificate of origin has been submitted to the State Service by the customer.

2.16. Conducting an expert examination by the Company, drawing up an expert report based on its results, submitting the expert report to the State Service no later than 1 (one) day after the customer's application and the documents attached to it are submitted to the Company for conducting an expert report on the determination of the country of origin of the goods by the State Service are hold.

2.17. If the documents submitted by the customer contain dishonest or distorted information, the State Service will refuse to issue a certificate of origin.

2.18. When the issuance of the certificate of origin is refused, a reasoned decision is made by the State Service indicating the reasons for the refusal to issue the certificate of origin no later than 1 (one) day from the date of submission of the application, and the customer is informed about it.

2.19. If the certificate of origin is lost or unusable for any reason, a duplicate of the certificate of origin shall be issued to him no later than 1 (one) day from the date of submission of the application based on the customer's written request.

2.20. The grounds and procedure for invalidating and canceling the certificate of origin are determined by Articles 65, 67-69 of the Law of the Republic of Azerbaijan "On Administrative Proceedings".

### **3. Responsibility for violating these Rules**

3.1. Customer may file a complaint about refusal to issue or issue within the established timeframe the certificate of origin or acts (omissions) of the competent officers of the State

Service in line with Article 66 and Chapter 07, Law “On administrative execution” of the Republic of Azerbaijan.

3.2. Responsibilities of the State Service and its competent officers are established following Chapter 9, Law “On Administrative execution” of the Republic of Azerbaijan.

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APPENDIX 01 to "Rules on issuing the certificate proving the country of origin of goods"<sup>6</sup>

**STATE SERVICE FOR  
ANTIMONOPOLY AND CONTROL  
OVER CONSUMER MARKETS OF  
UNDER THE MINISTRY OF ECONOMY  
OF THE REPUBLIC OF AZERBAIJAN  
CONSUMER GOODS EXPERTISE  
CENTER**

**EXPERTISE ACT #  
on determination of the country of origin of goods**

**EXPERTISE ACT #**

1. Date of issue: \_\_\_\_\_

2. Place of issue: \_\_\_\_\_

3. Expert N.S.P.: \_\_\_\_\_

4. Base for expertise: \_\_\_\_\_

5. Expertise was held in presence of the goods shipper's authorized representative:

\_\_\_\_\_

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*(title of the goods shipper's authorized representative, N.S.P)*

6. Shipping/exporting country: \_\_\_\_\_

\_\_\_\_\_

7. Manufacturing country:

\_\_\_\_\_

8. Recipient/importing  
country: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. Agreement:

\_\_\_\_\_

10. Goods name: \_\_\_\_\_

11. Goods quantity:

\_\_\_\_\_

12. Type of package and number of  
places: \_\_\_\_\_

\_\_\_\_\_

13. Kind of transport means: \_\_\_\_\_

14. Submitted documentation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15. Expertise was held and the followings were determined:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Expertise commencement date: \_\_\_\_\_ Expertise completion date \_\_\_\_\_  
(day, month, year) (day, month, year)

Expert: \_\_\_\_\_ Goods shipper's authorized representative: \_\_\_\_\_  
(signature) (signature)

16. Expert opinion: It was determined, based on the above, in the quantity specified in Section 11 of this Act

\_\_\_\_\_

(goods name)

\_\_\_\_\_ origin

really belongs to \_\_\_\_\_  
(country)

Expert: \_\_\_\_\_  
(signature)

Expertise act registered in \_\_\_\_\_ .  
(title fo the institution where the act was registered and its regional branch)

Manager's (competent officer) title and  
N.S.P: \_\_\_\_\_



Seal: \_\_\_\_\_

Seal

Not valid without seal by the Act Center

## LIST OF THE DOCUMENTS OF ORIGIN USED

1. Resolution [04 dated July 30 2012](#) of the Collegiate of the Ministry of Economic Development of the Republic of Azerbaijan (Registration number of the State Register of Legal Acts 15201207300004, Date of entry in the State Register of Legal Acts August 15 2012)
2. Resolution [03 dated July 15 2014](#) of the Collegiate of the Ministry of Economy and Industry of the Republic of Azerbaijan (Registration number of the State Register of Legal Acts 15201407150003, Date of entry in the State Register of Legal Acts July 25 2014)
3. Resolution [03 dated March 01 2016](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (Registration number of the State Register of Legal Acts 15201603010003, Date of entry in the State Register of Legal Acts March 01 2016)
4. June 28, 2016 decision of the Board of the Ministry of Economy of the Republic of Azerbaijan No. 6 (Registration number of the State Register of Legal Acts 15201606280006, Date of entry in the State Register of Legal Acts July 13 2016)
5. August 09, 2016 decision of the Board of the Ministry of Economy of the Republic of Azerbaijan No. 10 (Registration number of the State Register of Legal Acts 15201608090010, Date of entry in the State Register of Legal Acts August 19 2016)
6. Resolution of the Board of the Ministry of Economy of the Republic of Azerbaijan dated December 6, 2021 No. 17 (Registration number of the State Register of Legal Acts 15202112060017, Date of entry in the State Register of Legal Acts December 20 2021)

## LIST OF THE AMENDMENTS AND ADDITIONS TO THE DECISION

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<sup>1</sup> By decision [No. 10 dated August 09 2016](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (Registration number of the State Register of Legal Acts 15201608090010, Date of entry in the State Register of Legal Acts August 19 2016), in the preamble of the Decision, the words Sections 9.33 of the "Regulation on the State Service for Antimonopoly Policy and Protection of Consumer Rights under the Ministry of Economic Development of the Republic of Azerbaijan" as approved by Decree 203, dated December 25 2010 were replaced by "subsection 3.0.42 of the "Regulation on the State Service for Antimonopoly Policy and Protection of Consumer Rights under the Ministry of Economic Development of the Republic of Azerbaijan" as approved by Decree 8888 dated April 28 2016.

<sup>2</sup> By decision [No 03 dated July 15 2014](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (Registration number of the State Register of Legal Acts 15201407150003, Date of entry in the State Register of Legal Acts July 25 2014), in Section 04, Decision 02, The words "Economic Development" have been replaced by the words "Economy and Industry".

By decision [10 dated August 09 2016](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (Registration number of the State Register of Legal Acts 15201608090010, The date of entry into the State Register of legal acts is August 19, 2016) and in paragraph 4 of the decision the words "Ministry of Economy of the Republic of Azerbaijan" were added before the word "subordinate".

[6 dekabr 2021-ci il tarixli 17 nömrəli](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (Registration number of the State Register of Legal Acts 15202112060017, Date of entry in the State Register of Legal Acts December 20 2021), in Section 04 the words "Zahid Isayev, Head of the State Service for Antimonopoly Policy and Protection of Consumer Rights under the Ministry of Economy and Industry" were replaced by "to the State Service for Antimonopoly and Control over the Consumer Markets under the Ministry of Economy", "Ministry" with "the State Service for Antimonopoly and Control over Consumer Markets", "entities" with "an entity".

<sup>3</sup> By decision [103 dated July 15 2014](#) of the Collegiate of the Ministry of Economy and Industry of the Republic of Azerbaijan (Registration number of the State Register of Legal Acts 15201407150003, Date of entry in the State Register of Legal Acts July 25 2014), the words "to Section 5, Article 30, Law "On customs tariff" of

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the Republic of Azerbaijan were repealed and the “Economic Development” in Subsection 1.1 (in the second case), 1.2 and Appendix 01 to the same Rules were replaced by “Economy and Industry”.

By decision [10 dated August 09 2016](#) of the Collegiate of the Ministry of Economy and Industry of the Republic of Azerbaijan (**Registration number of the State Register of Legal Acts 15201608090010, Date of entry in the State Register of Legal Acts August 19 2016**), in section 1.1 “of the Rules on issuing the certificate proving the country of origin of goods” was replaced by 9.33 in the “Regulation on State Service for Antimonopoly Policy and Protection of Consumer Rights under the Ministry of Economic Development of the Republic of Azerbaijan” as approved by Decree 203 dated December 25 2010 and Subsection 3.0.42 of the “Regulation on the State Service for Antimonopoly Policy and Protection of Consumer Rights under the Ministry of Economy of the Republic of Azerbaijan” as approved by Decree 888 dated April 28 2016.

<sup>4</sup> By decision [No 03 dated March 1 2016](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (**Registration number of the State Register of Legal Acts 15201603010003, Date of entry in the State Register of Legal Acts March 01 2016**), “3 (three)” in Sections 1.2 and 2.18 “of the Rules on issuing the certificates proving the country of origin of goods” was replaced by “1(one)”.

By decision [06 dated June 28 2016](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (**Registration number of the State Register of Legal Acts 15201606280006, Date of entry in the State Register of Legal Acts July 13 2016**), “and Industry” was repealed in Subsection 1.2 of the “Rules on issuing the certificate proving the country of origin of goods” and in the name of the Appendix 01 to the same Rules.

By decision [No 17 dated December 06 2021](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (**Registration number of the State Register of Legal Acts 15202112060017, Hüquqi Date of entry in the State Register of Legal Acts December 20 2021**), “Antimonopoly Policy and Protection of Consumer Rights” in Section 1.2 of the “Rules on issuing the certificate proving the country of origin of goods” was replaced by “Antimonopoly and Control over the Consumer Market”.

<sup>5</sup> By decision [No 10 dated August 09 2016](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (**Registration number of the State Register of Legal Acts 15201608090010, Date of entry in the State Register of Legal Acts August 19 2016**), the “State Service” in Section 1.3 of the “Rules on issuing the certificate proving the country of origin of goods” was replaced by “the Ministry of Economy of the Republic of Azerbaijan”.

By decision [No 17 dated December 06 2021](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (**Registration number of the State Register of Legal Acts 15202112060017, Date of entry in the State Register of Legal Acts December 20 2021**), “The Ministry of Economy of the Republic of Azerbaijan” in Section 1.3 of the “Rules on issuing the certificate proving the country of origin of goods” was replaced by “State Service”.

<sup>6</sup> By decision [No. 17 dated December 06 2021](#) of the Collegiate of the Ministry of Economy of the Republic of Azerbaijan (**Registration number of the State Register of Legal Acts 15202112060017, Date of entry in the State Register of Legal Acts December 20 2021**), “STATE SERVICE FOR ANTIMONOPOLY AND CONTROL OVER THE CONSUMER MARKET” was added after the “MINISTRY” in the Appendix 01 to the “Rules on issuing the certificate proving the country of origin of goods”.