

**(without title)**

**On the order of issuing to the managing subjects of special permits (licenses) for execution of certain types of activities and on state registration of entrepreneurs who execute their activities without establishing legal entities The Cabinet of Ministers of the Republic of Belarus DECIDES: 1. To approve the applied: - Temporary Regulations on the Order of Issuing to the Managing Subjects of Special Permits (Licenses) for execution of certain types of activities; - Order of State Registration of Entrepreneurs who Execute Their Activities without Establishing Legal Entities;**

- List of activity types which need special permits (licenses) to execute them, and of the bodies who are issuing such permits (licenses). The enlisted activity types are clarified, if necessary, by the Cabinet of Ministers of the Republic of Belarus upon the proposals by the State Economic Planning Committee.

2. To determine that in cases when by the moment of state registration of the managing subject it lacks a legal address, the registration of such subject may be executed at the place of residence of the founder without the right to execute any production activity at the above address, that can result in damage of the dwelling fund, does not comply with sanitary and fire safety requirements or disturbs other residents.

3. Ministries and Departments, the Executive Committees of the local Soviets of People's Deputies shall ensure by June 1992 receipt by those managing subjects who execute the activities subject to licensing of special permits (licenses) for these activities.

4. The Ministry of Finance in cooperation with the Ministries and Departments in interest shall within the 10 days' period approve the form of the Book of state registration of entrepreneurs who execute their activities without establishing legal entities, books of issue (prolongation) of licenses, forms of licenses.

5. The State Committee for Printing to ensure the production of books of state registration of entrepreneurs who perform their activities without establishing legal entities, books of issue (prolongation of licenses, forms of licenses and certificates about state registration upon the requests of the bodies of state management, who execute issuing (prolongation) of licenses, regional executive committees and Minsk city executive committee. The State Committee for Economic Planning and the State Committee for Supplies shall assign the necessary amount of paper for these purposes.

6. To impose on the State Committee for Industry and Interbranch Productions the organizational and methodology management of the license activities of the bodies which are executing issuing licenses according the present Enactment.

7. To charge the State Committee for Industry and Interbranch Productions in cooperation with the Ministries and Departments in interest with the task to develop and

approve within 3 months' period the necessary normative and methodology documentation in licensing activities in the Republic.

8. The State Committee for Printing shall determine the list of ministerial literature the publishing of which is not subject to licensing.

9. The State Committee for Economic Planning, the Ministry of Finance, the Ministry of Justice, the State Committee of Labour and Social Protection of Population and the State Committee for Industry and Interbranch Productions in cooperation with the regional and Minsk city executive committees with account of the results for the first half of 1992 shall analyze the practice of application of the order of issuing to the managing subjects of licensing to execute certain activities and of the registration of entrepreneurs and shall submit their proposals to improve the above order, in case there are any, to the Cabinet of Ministers of the Republic of Belarus.

10. The State Committee for Economic Planning and the Ministry of Justice shall prepare and submit into the Cabinet of Ministers of the Republic of Belarus proposals on how to bring the decisions of the Government into compliance with the present Enactment.

Chairman of the Cabinet of Ministers of the Republic of Belarus V. Kebich  
Manager of the Affairs of the Cabinet of Ministers of the Republic of Belarus N. Kavko  
APPROVED by the Enactment of the Cabinet of Ministers of the Republic of Belarus of October 16, 1991, No. 386 (In the edition of the Enactment of the Cabinet of Ministers of the Republic of Belarus of September 22, 1992, No. 573)  
**TEMPORARY REGULATIONS on the order of issuing to the managing subjects of special permits (licenses) for execution of certain activities**

**1. General Provisions**

1. The present Regulations determine the order of issuing and cancellation to the managing subjects of special permits (licenses) to perform types of activities, which can cause damage to the interests of the Republic of Belarus, environment or health of people (these activities are given in the List applied to the present Enactment).

2. For each activity type subject to licensing a separate license is issued, valid on the whole territory of the Republic of Belarus. An activity\* within the List, applied to the present Enactment, is determined by the body, authorized to issue licenses. In cases when one type of activity envisages compulsory execution of other licensed works, inseparable from it technically and organizationally, one license for the main activity is issued.

3. The present Regulations are compulsory for all managing subjects registered and executing their activities on the territory of the Republic of Belarus. Managing subjects, registered outside the borders of the Republic of Belarus, but executing their activities completely or partially on its territory, must receive licenses in the order stipulated by the present Regulations. Activity is determined in the normative and methodology documentation on licensing activities, agreed with the State Committee on Industry and interbranch productions, Ministry of Justice and State Economic Committee on Planning.

**II. Issuing Licenses for Certain Activities**

4. Issue of licenses to the managing subjects, irrespective of their property forms, for performing activities subject to licensing is executed by Ministries, State Committees and Departments, as well as by executive committees of local Soviets of people's deputies in the place of their registration. If a managing subject is registered outside the territory of the Republic of Belarus, a license is issued to him by the executive committee of people's deputies of the area where he performs his activities, or by the Ministry, State Committee

or a Department according to the List applied to the present Enactment. The Ministry of Defense issues a license to a managing subject at the same time with placing respective orders in it and signing contracts (for the period of their validity). 5. A license is issued upon the application (petition) of the managing subject in interest. The application is accompanied with copies of his statutory documents, except for the entrepreneurs who execute their activities without forming legal entities. If necessary, the applicant may be asked other documents, approving his ability to observe the established requirements concerning results and conditions of his activities. 6. For issuing a license to managing subjects who execute their activities with formation of legal entities a fee is charged worth two minimal salaries, and for prolongation of the license - worth one minimal salary. For issuing licenses to entrepreneurs who execute their activities without forming legal entities the fee is charged worth 1/4 of the minimal salary and for prolongation of the license - 1/10 of the minimal salary. For issuing licenses to certain types of activities the Cabinet of Ministers of the Republic of Belarus may determine other fee values. The payments for issuing (prolongation) of licenses are transferred by Ministries, State Committees and Departments into the Republican budget, and by the executive committees of local Soviets of people's deputies -- into the budget of a district or town where it was issued (prolonged). Liberation from the payment or assigning other values of it for issuing (prolongation) of a license may be executed upon the decision of the Cabinet of Ministers of the Republic of Belarus (in relation to managing subjects whose payment for issuing licenses is transferred to the Republican budget). 7. Decision to issue or to refuse issuing a license is taken during 30 days since the moment of submitting an application with all the necessary documents applied. The license or the refusal to issue it should be given to the applicant within 5 days after the appropriate decision has been taken. The decision to refuse issuing a license should comprise the reason of refusal and legal norms that made its basis. The duration of validity of the license is set by the body who issued it but cannot be less than 5 years. This term may be altered upon the consent of the Cabinet of Ministers of the Republic of Belarus upon the petition of the body authorized to issue licenses. Prolongation of the validity of the license is performed in the order stipulated for issuing. 8. The need of making an expertise or to agree the question of its issuing with the state bodies authorized to supervise the observance the rules established to execute the respective activities, is determined by the body that issues licenses. The bodies of state supervision in accordance with their competence are obliged to issue conclusions on results of expertise or to agree the questions of issuing a license. In case an expertise is necessary to issue a license, the final decision is taken within 15 days after receipt of the expert conclusion. In this case the expertise should be performed within 45 days since the moment of submitting the application together with all necessary documents to the body, authorized to issue licenses. The expertise may also be appointed in case of suspending a license for taking a decision to resume or stop its action due to violation of the rules (conditions) of executing the activities by the managing subject. The experts (legal entities and individuals) bear responsibility for the truthfulness of the expertise results in accordance with the legislation. In case the managing subject is against the expertise or does not agree with its results, he is entitled to claim the decision to appoint the expertise or its conclusion in the court or economic court in the location of the defendant. The expenses to run an expertise are refunded by the applicant in the order determined by the Ministry of Finance. 9. The license shall run: name of the body who

issued the license; name and address of the legal entity or surname, name and patronymic, home address of the citizen, who performs his entrepreneurial activities without forming a legal entity; name of the activity, which is licensed, special conditions and rules to execute the activity; registration number of the license, date of issue, duration. The license is signed by the person authorized and sealed with a stamp of the body who issued it. License is made in two copies one of which is delivered to the applicant. The body that has issued licenses to execute certain types of activities shall account them. In case of loss of a license a duplicate is issued for 50% of its price. Note: This chapter also embraces persons who wish to execute their activities without forming legal entities. Licenses are issued to them and paid by them in the order set forth for entrepreneurs who execute their activities without forming legal entities. III. Cancellation of a License for Execution of Certain Activities In case a managing subject is violating special conditions and rules to execute the given activity, the body that issued the license upon the presentation of respective supervision bodies, grounded claims of other legal entities, citizens and according to the results of its own checks, may suspend its validity till the liquidation of the violations made, for a certain period, or to give a command to liquidate the violations without suspending its action. In case of a repeated or rough violation of the rules to perform the activity for which the license was issued, the license may be annulled upon the decision of the body that issued it. The body that issued a license may withdraw it from the managing subject without warning for violating the legislation or actions in the result of which a danger of accidents or catastrophes arises, threat of death of people, damage to their health or other severe consequences. 11. The managing being deprived the right to use the license must return it to the body that issued it. IV. Responsibility for Violation of the Temporary Regulations 12. Control over the observance by managing subjects of the present Regulations is imposed on the bodies, issuing licenses, and the state controlling bodies. 13. In case a managing subject is executing an activity subject to licensing without a license he shall bear responsibility stipulated by Article 9 of the Law of the Republic of Belarus of December 20, 1991 "On taxes and Duties Charged into the budget of the Republic of Belarus" (Collections of the Supreme Soviet of the Republic of Belarus, 1992, N 4, doc. 75). 14. Illegal issue of licenses by authorized persons involves responsibility set forth by the legislation of the Republic of Belarus. 15. Decisions to ban issue of a license, on its liquidation or suspension may be appealed against in the court or economic court within 30 days at the location of the body that issued the license. In case a court acknowledges the decision to withdraw a license issued to the managing subject ungrounded, the secondary license is issued to him without any payment. APPROVED by the Enactment of the Cabinet of Ministers of the Republic of Belarus of October 16, 1991, N 386 ORDER of state registration of entrepreneurs who execute their activities without establishing legal entities 1. State registration of entrepreneurs who execute their activities with formation of legal entities is performed according to the Law of the Republic of Belarus "On Enterprises in the Republic of Belarus", Enactment of the BSSR Cabinet of Ministers of November 1, 1991, N 272 "On State Registration of Enterprises and Organizations of the Belarusian SSR" and to point 7 of the Enactment of the BSSR Cabinet of Ministers of January 28, 1991, N 28 "On Additional Measures to create in the Republic the Conditions to Develop Cooperatives of Veterans of War, Labour and Military Forces of the USSR". 2. State registration of entrepreneurs who execute their activities without formation of

legal entities is performed in their living location by executive committees of district, town, district in cities Soviets of people's deputies, which make respective notices in special books and issue to the above entrepreneurs certificates on their state registration of the form in accordance with the Appendix 1. The executive committee should inform the applicant within 5 days in writing about the fact of registration or refusal to do so. 3. Citizens who expressed desire to execute their entrepreneurial activities without formation of legal entities, must apply to the executive committee of the respective Soviet of people's deputies with a written petition in accordance with the Appendix 2, documents in approval of their qualification, in cases when their entrepreneurial activities may cause threat to life and health of people or environment, a license in case this activity is subject to licensing, as well as a document to prove that the entrepreneur has paid for his state registration. 4. The data about the entrepreneur registered who executes his activities without forming a legal entity are delivered within 10 days by the registering body to the tax inspection in the place of registration, as well as to the Ministry of Finance and State Committee for Statistics and Analysis for inclusion, respectively, into the state roll and register of the Republic of Belarus. 5. For the state registration of entrepreneurs who execute their activities without forming legal entities the fee is charged of 100 roubles. Every five years as well as in cases when the entrepreneur changes his activities, the re-registration is made in the order established for registration. 6. The size of the fee for state registration of the entrepreneur executing his activities without forming a legal entity may be decreased by the decision of the executive committee of the local Soviet of people's deputies who performs its registration with the account of aims and purposes of his entrepreneurial activities, production of goods (works, services) needed by the population and people's economy. 7. In case of refusal in state registration on the grounds envisaged by the legislation, the entrepreneur executing his activities without forming a legal entity is returned 50% of the fee charged. 8. The activities of a non-registered entrepreneur executing his activities without forming a legal entity is banned. 9. The incomes received as a result of activities of a non-registered entrepreneur executing his activities without forming a legal entity are charged by the court and directed into the local budget. 10. The entrepreneurs executing their activities without forming legal entities as members of foreign economic relations are registered according to the order set by the legislation for legal entities. 11. The refusal to state register the entrepreneur executing his activities without forming a legal entity, on the basis of inexpediency is not allowed. The refusal to state register the entrepreneur executing his activities without forming a legal entity. may take place in cases when the activity is banned or the license compulsory for this activity has not been received.

12. When state registration of the entrepreneur executing his activities without forming a legal entity. has not been performed in the due term or it has been refused for the grounds the entrepreneur considers ungrounded, he is entitled to appeal to the court. Counterfoil to certificate N\_\_ Appendix 1 to the Order of State registration of entrepreneur executing his activities without forming a legal entity. \_\_\_\_\_  
EXECUTIVE COMMITTEE \_\_\_\_\_ (Surname, name, patronymic) OF  
THE SOVIET OF PEOPLE'S DEPUTIES \_\_\_\_\_  
CERTIFICATE N \_\_\_\_\_ on state registration of the  
entrepreneur executing his activities without forming a legal entity (home address) Types  
of activity \_\_\_\_\_ The present serves to certify that

\_\_\_\_\_ citizen \_\_\_\_\_  
\_\_\_\_\_  
(Surname, name, patronymic)  
\_\_\_\_\_ who lives at the address: Date of  
registration \_\_\_\_\_ Certificate  
issued \_\_\_\_\_ (filled from the passport) has been registered by the executive  
committee of the \_\_\_\_\_ Soviet Manager of the general as an entrepreneur  
executing his activities without forming a legal entity department Seal place The  
entrepreneur executes the following activities: \_\_\_\_\_ Note: Is sent  
within the 10 days' period to (exact and complete names of state tax inspection in the  
place of \_\_\_\_\_ registering the entrepreneur. all  
activities executed by the \_\_\_\_\_ entrepreneur)  
Chairman Deputy of the executive committee of the \_\_\_\_\_ Soviet of People's  
Deputies " \_\_\_\_\_ " (signature) \_\_\_\_\_ Appendix 2 to the Order of state  
registration of entrepreneur executing his activities without forming a legal entity.  
Executive Committee \_\_\_\_\_ of the Soviet of Deputies  
\_\_\_\_\_ (Surname, name, patronymic) APPLICATION I apply for  
registering me as an entrepreneur who executes the activities of

\_\_\_\_\_ (Complete and exact names of the

\_\_\_\_\_ activities are given) I am planning to execute the above activities without forming a  
legal entity. Information about myself: 1. Year of birth \_\_\_\_\_, passport series  
\_\_\_\_\_ N \_\_\_\_\_, issued  
\_\_\_\_\_ (by whom and when) 2. Social  
position \_\_\_\_\_ (worker, employee,  
pensioner, student,

\_\_\_\_\_ housewife, etc.) 3. Place of work and post (if any) \_\_\_\_\_

(indicate the complete name and address) 4. Home address \_\_\_\_\_

\_\_\_\_\_ (taken from the passport)  
5. Other data \_\_\_\_\_ (data is

given necessary to examine the application) Date Signature APPROVED by the  
Enactment of the Cabinet of Ministers of the Republic of Belarus of October 16, 1991, N  
386 LIST of products and production wastes, utilization of which for private needs, sale  
and exchange cannot be executed freely by managing subjects Precious metals and  
products comprising them, rare-earth metals, accompanying minerals, including zircon,  
rutile, elminite, cassiterite. Precious stones and products therefrom, including garnet.  
Amber. Ware-seasoned oak. Armaments, ammunition to them, military technique, spare  
parts, components and devices for them, if they are not used in other branches,  
explosives, explosion means, gun-powder, all types of missile fuel, as well as special  
materials and special equipment to manufacture same, special ammunition of the  
personnel of militarized organizations and normative and technical documentation to  
manufacture such. Missile-space complexes, communication and command systems of  
military purpose and normative and technical documentation to manufacture and operate  
such. Battle poisonous substances, protection means against them and normative and

technical documentation to manufacture and use such. Uranium, other products of nuclear dissociation and products thereof. X-ray equipment, devices and equipment using radioactive substances and isotopes. Results of scientific, research and design works, as well as of fundamental research investigations to create armaments and military technique. Ciphering technique and normative and technical documentation to produce and use such. Hunting and sports fire-arms and ammunition to them, as well as cold steel. Poisons and narcotic substances. Ethyl alcohol. Wastes of radioactive materials. Wastes of explosive materials. Wastes containing precious and rare-earth metals and precious stones. Medicine means, except medicinal grasses. Sugar. Food oil from state resources raw materials. Wine, alcohol and tobacco products. Cereals stored in the state resources. Oil and oil products (crude oil, ready-made condensate, automobile petrol, diesel fuel, solid paraffin). Natural gas. Coal for coking.