

Government of the Kyrgyz Republic

RESOLUTION

Government House, Bishkek

3

dated January 5, 1996

On approval of the Regulations on the procedures for use of penalty and economic sanctions for violation of antimonopoly law, pricing discipline and protection of consumers' rights, and on the procedure for the formation and use of the prices and tariffs at commodities markets of the Kyrgyz Republic

In order to form the effective market economy and in accordance with the Law of the Kyrgyz Republic " On limitation of monopolistic activity, development and protection of the competition" the Government of the Kyrgyz Republic hereby decrees:

1. To approve the following documents attached hereto:
 - The Regulation on the procedures for use of penalty and economic sanctions for violation of antimonopoly law, pricing discipline and protection of consumers' rights;
 - The Regulation on the procedure for the formation and use of the prices and tariffs at commodities markets of the Kyrgyz Republic.
2. The Ministry of Justice of the Kyrgyz Republic shall submit to the Government of the Kyrgyz Republic the proposals on bringing the effective regulations of the Kyrgyz Republic in line with this Resolution.
3. The Resolution of the Government of the Kyrgyz Republic dated April 7, 1992 # 135 " On approval of the Regulation on the procedure for the formation and change of the prices and tariffs, and control over their use" shall be declared null and void.
4. The control over the fulfillment of this Resolution shall be assigned to the State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic.

Prime-minister

A. Jumagulov

Approved
by the Resolution of the Government
of the Kyrgyz Republic
#3, dated January 5, 1996

REGULATION

on the procedures for use of penalty and economic sanctions for violation of antimonopoly law, pricing discipline and protection of consumers' rights

This Regulation is developed in accordance with the laws of the Kyrgyz Republic " On limitation of monopolistic activity, development and protection of competition" and " On protection of consumers' rights".

Basic provisions

1. The effect of this Regulation shall be applied to all the economic entities, irrespective of the form of property, located at the territory of the Kyrgyz Republic, including the enterprises with foreign investments, as well as the businessmen which do not form a legal entity, which carry out the production, trade and other commercial activity.
2. The penalty and economic sanctions shall be applied to the economic entities, producing and selling products, goods and providing services at the territory of the Kyrgyz Republic, which made various violations of antimonopoly law, pricing discipline and consumers' rights.
3. The decisions on use of penalties and economic sanctions in respect of economic entities shall be made at the meetings of the State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic and shall be signed by the Director of the Department or his deputies (the Heads of the territorial offices).
4. The penalty and economic sanctions imposed by the State Department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic shall be paid to a bank by an economic entity, the executive body within 20-days period after delivery of the Resolution on the penalty.
5. In case of failure to pay the penalty and economic sanctions in due time the amount of penalty shall be increased by 0.5 per cent for each day of delay.

II. Violation of antimonopoly law

6. The violation of antimonopoly law shall be understood all the actions of a business entity (executive body) which result or may be resulted in substantial limitation of competition and / or infringement of interests of other business entities or individuals.

The following shall be referred to the violations of the executive body or a business entity, having dominating position at the market:

- withdrawal of goods from circulation in order to create deficit at the market or raise of prices;
- dictation on a counterpart non-profitable conditions, and the conditions which put the counterpart in unequal position with other business entities;
- the consent to conclude the agreement only under the condition that it will comprise the provisions related to the goods in which the counterpart (consumer) is not interested;
- putting obstacles in the way of access to the market (exit from the market) to other business entities;
- making agreements between the competing business entities (potential competitors) which result or may result in substantial limitation of competition;
- making agreements by non-competing business entities, one of which holds dominating position and another one is his supplier or buyer (client), if such agreements result or may result in substantial limitation of competition;
- establishment by executive bodies discriminating or exclusive conditions for certain business entities if such conditions limit the competition;
- making agreements between the executive body and other governing body or a business entity which result or may result in substantial limitation of competition;
- ill-timed declaration of prices by the business entities having dominating position at the market;
- violation of the procedure for passing of the antimonopoly expertise;
- failure to submit the necessary information or willful presentation of wrong (false) information;
- evasion from performance or ill-timed performance of the instructions of the State antimonopoly institution of the Kyrgyz Republic.

7. The State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic and its territorial offices shall impose fines for violation of the requirements of the antimonopoly law in accordance with the Law of the Kyrgyz Republic "On limitation of monopolistic activity, development and protection of competition".

III. Violations of pricing discipline

8. The following shall be considered as violations of the state pricing discipline entailing the penalty and economic sanctions:

- setting too high the prices, regulated by the government (the tariffs for the products, goods, services) and the maximum levels of profitability;
- setting too high the whole-sale prices registered in the course of declaration in price-establishing bodies;
- setting too high or too low the prices for the products provided by enterprises in accordance with the international agreements with other countries;
- charge of extra surcharges, margins, mark-ups to the prices where officially established maximum prices are available;
- inclusion into the cost of the services the works which actually were not made or the works done not in full volume but nevertheless included into the cost of these services, as well as use of cheaper raw materials and other technological changes

resulted in reduction of the cost of the products, sale of incomplete products without consent of consumers (buyers);

- setting too high the prices for the products which due to the design or technological deficiencies do not correspond to the requirements established in the course of determination of their quality level (provided there is a conclusion of standardization agency);
- failure to transfer to the budget the funds received on the account of excess of the established profitability level and ill-timed reduction of prices (tariffs, surcharges) for the products (goods, services) included into the register of the enterprises-monopolists as well as by other enterprises for which products (goods, services) were established the maximum levels of profitability;
- receipt by an enterprise-supplier additional funds from the consumers in excess of the cost of the received products to its own funds, and inclusion of these costs by the consumers to the calculation of the price of the item and their refer to the prime cost of the item, and use of these funds not in full volume and not for the designated purpose;
- violation by the enterprises-monopolists of the procedure for declaration of free prices and tariffs;
- inclusion of the raw stuff, materials etc. to the prime-cost in excess of the established norms.

9. The amounts received by excess of the maximum profitability level shall be subject for confiscation for the enterprises-monopolists, as well as for other enterprises for which production the maximum levels of profitability have been established.

10. In case of sale of the products by the enterprises-monopolists by the prices, which increase is subject for declaration but which were not submitted for registration to the pricing bodies, the amount, calculated as difference between the prices used at the moment of check and the prices used before their increase, shall be subject for confiscation.

11. In case of use of excessive and regulated prices on the account of willful excess of the costs in the calculation of the prime cost in order to get illegal proceeds, the prices shall be canceled and reviewed, and the amounts to be taken to the budget shall be calculated in accordance with section 13 hereof.

12. The whole sum of the illegally received proceeds (profit) as a result of violation of the state pricing discipline shall be subject for taking to the (republican) budget. At the same time on the enterprise by the decision of the Commission for consideration of the cases on violation of antimonopoly law and the pricing policy may be imposed the fine two times as much from the sum of illegally received profit, and in case of repeated violation within the period of one year - three times as much - on the account of the business activity irrespective of the financial state of the enterprise.

13. The sums received as a result of violation by the enterprises of the state pricing discipline and subject for taking to the (republican) budget shall be determined as difference between the actual proceeds from sale of the products (works, services) by excessive prices and tariffs and cost of the same products by the prices and tariffs formed in accordance with the Law of the Kyrgyz Republic and pricing regulations.

14. The sum of the income (profit) illegally received by an enterprise as a result of mediation (commercial) activity shall be determined as a difference between the actually used margin (surcharge) and the maximum size of the supply-sale margin established in accordance with the legislation of the Kyrgyz Republic.

15. If it is impossible to determine the sum of illegally received income (profit) in respect of the enterprises which violated the legal acts on pricing the fine shall be imposed in the amount of 25 per cent out of the sum of the monthly volume of sale (goods turnover) of these products (works, services).

16. While calculating the sum of illegally received proceeds (profit) subject for taking to the budget from the enterprises which violated the procedure for the establishment and use of tariffs for the products (works, services) in case when it resulted in excess of the amounts of taxes or excise, the extra amount of the taxes or excises paid shall not be subject for repayment from the budget.

IV. Violation in protection of consumers' rights

17. The following shall be considered as violations of the Law of the Kyrgyz Republic "On protection of consumers' rights":

- production and sale of the products which cause or may cause damage to the life, health or property of individuals;
- refusal to provide the guarantee term of maintenance;
- refusal to exchange the bad quality non-food good for the similar one of the proper quality;
- failure to perform the terms and conditions of an agreement on carrying out works and rendering services;
- sale (production) of goods of improper quality;
- failure to provide to the buyers the necessary and true information on the products;
- sale of products (works, services) in violation of the procedure for prices formation;

18. The amount of fine to be imposed on the business entities and the officials for violation of the Law of the Kyrgyz Republic "On protection of consumers' rights" shall be determined by the norms of the laws of the Kyrgyz Republic.

19. Evasion from execution or partial execution of the instruction of the State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic (or its territorial offices) on stopping the violation of consumers' rights also may be served as a basis for imposition of a fine.

20. The resolution on imposition of a fine for violation of the Law of the Kyrgyz Republic " On protection of consumers' rights" shall be issued by the Head of the State department and his deputies (the heads of the territorial offices).

21. The imposition of a fine on a business entity shall not free the officials of the business entities, who help to create the conditions for violation of the consumers' rights, from their personal liability.

22. The actual amount of the fine shall be determined depending upon the type and the scale of the damage caused to a consumer, and the level of guilt of the offender.

23. The basis for issue of the resolution on imposition of a fine shall be the documents (the act of the check of a business entity, other materials), containing the information on violations of the Law of the Kyrgyz Republic " On protection of the consumers' rights" . All the documents required for making decision in respect of imposition of a fine shall be provided by the officials of the State department or its territorial office in accordance with the established procedure.

V. Procedures for use of economic sanctions

24. The State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic and its territorial offices on the basis of the checks done by them shall take the decisions on taking to the budget the sum of illegally received by enterprises proceeds (profit), imposition of a fine for violation of antimonopoly law, pricing discipline and consumers' rights.

The resolutions shall be sent to the corresponding enterprises and organizations for their execution, and their copies shall be sent to the Tax Inspection for provision of the control over the proper payment.

The whole amount of the economic sanctions paid by the business entities, officials and individuals of the Republic shall be transferred to the budget within 20-days period after receipt of the resolution on use of economic sanctions. By this 30 per cent from the taken sum shall be directed for improvement of the material basis of the State department for antimonopoly policy.

The decisions on taking to the budget the amounts received as a result of violation shall be taken in case if the said amounts have not been returned to the buyer (client) or have not been paid to the budget by the enterprise itself in the course of self-check.

Where the structural unit of association (firm, union, etc.) does not have its own current bank account, the taking shall be made from the bank account of the higher organization.

25. The territorial offices of the State department for antimonopoly policy shall independently take decisions on use of economic sanctions against enterprises.

26. The territorial offices of the State department for antimonopoly policy while taking the decision on taking the illegally received proceeds (profit) including penalty shall direct 70 per cent of these sums to the Republican budget in accordance with the Law and half of the remaining 30 per cent shall pass to the central fund of social development and for material encouragement of the State department for antimonopoly policy.

27. The bodies of the State Tax Inspection under the Ministry of Finance of the Kyrgyz Republic shall be obliged:

- In case of ill-timed execution by enterprises and organizations of the decisions of the State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic and its territorial offices on use of economic sanctions for violation of antimonopoly law, pricing discipline and protection of consumers' rights, to carry

out indisputable taking of money sums to the corresponding budgets and the central fund of social encouragement, unless these sums have not been paid by the established date by the enterprises themselves;

- to inform timely the State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic and its territorial offices which took decision on taking money sums to the budget on the time and the amount of the taking.

28. The facts of violations of the antimonopoly law and pricing policy, discovered by other controlling bodies, and the documents for making decision shall be passed to the State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic and its territorial offices.

29. The whole sum of economic sanctions shall be transferred by the enterprises to the budget before 25th day of the month in which the resolution on use of economic sanctions has been received.

30. The enterprises which made violation discovered by themselves, where it is not possible to return these funds to the consumers (buyers), shall pay independently to the budget the amount of illegally received proceeds (profit) without penalty.

31. The appeals against the decisions on use of economic sanctions for violations of antimonopoly law, pricing discipline and protection of consumers' rights taken by the State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic and its territorial offices may be directed to the head of the corresponding or higher body not later than one month after receipt of the resolution. The appeal shall not suspend the execution of the decision for the period of consideration of this appeal.

32. The decisions of the State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic on use of economic sanctions may be canceled by higher bodies or by a court.

33. The enterprises may appeal against the decisions of the state department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic on use of economic sanctions in arbitration tribunal within 3 days after adoption of the decision on taking but not later than one month after refusal of the higher body to satisfy the appeal (claim).

34. The return of the sums taken by mistake to the budget for violations of antimonopoly law, pricing discipline and protection of consumers' rights shall be made by tax bodies on the basis of the resolutions of the State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic or of the court provided that the period of time passed from the moment of payment of these sums to the budget to the date of the decision on return of these sums does not exceed one year.

VI. Liability of the directors of the enterprises

35. The directors of enterprises and organizations shall be subject for administrative and criminal liability for violations of antimonopoly law, pricing policy and protection of consumers' rights in accordance with the legislation of the Kyrgyz Republic.

REGULATION

on the procedure for establishment and use of prices and tariffs at commodities markets of the Kyrgyz Republic

I. General provisions

1. This regulation shall be applied to the business entities, separate legal entities irrespective of the form of property, which produce and sell the products (services) of industrial and technical designation and consumer goods at the territory of the Kyrgyz Republic.

2. The Regulation shall provide the procedure for establishment of the prices and tariffs for products of industrial and technical designation, the consumer goods and services used at commodities market of the Kyrgyz Republic.

3. This regulation shall provide the procedure for establishment and use of the following types of prices and tariffs:

- free (contract) price (tariff) - the price established on the basis of agreement of the interests of the parties under influence of the existing demand and offer, competition. other market conditions which level is established by the enterprises or by individuals themselves or on the contract basis, the formation and use of the free prices being made under common rules;
- monopolistic high price, monopolistic low price - the prices established under conditions of dominating position of sellers or buyers correspondingly at the commodities markets;
- dumping price - the price willfully undercharged as compared with the established market level;
- trade, trade-agent (supply-sale) margin, surcharge, discount - the sum to be paid to a seller or to an agent for services on sale of products, goods and services;
- declared price - the price registered by governmental bodies on the basis of the declaration of the enterprise-monopolist on its intention to change the price.

II. formation of free (contract) prices

4. The formation of free market prices at the markets of the Kyrgyz Republic is held in the process of direct inter-relations of price-forming entities under the influence of the state of the market at the certain period of time.

5. The free whole-sale prices (tariffs) for the products (services) of industrial and technical designation shall be established by the producers under agreement (on equal basis) with the consumers of the products (services) and shall be used with the account of value added tax in the settlements of the producers with all the consumers (except the population), including

the agents (including supply and sale, trade-procurement enterprises and organizations, commodity exchanges, etc.).

6. The free (sale) prices for consumer goods shall be established by the producers with the account of the value added tax under agreement (on equal basis) with various trade organizations and other enterprises selling the goods to the population, as well as with the agents (including trade-procurement, supply-sale enterprises and organizations, commodity exchanges, etc.).

7. The free wholesale prices (tariffs) and free sale prices shall be established in accordance with the market situation (the existing demand and offer), the quality and the consumer properties of the products (services) and the goods under conditions of free departure station (free port of departure), and in case of inside town delivery - ex warehouse of the enterprise-supplier. Other conditions for delivery of the goods, products (services) may be established under agreement between the parties.

8. In the free wholesale prices (tariffs) for the products (services) of industrial-technical designation and in the free sale prices for consumer goods the prime cost, which is determined in accordance with the resolution of the Government of the Kyrgyz Republic dated January 11, 1993 # 11 "On approval of the regulation on the costs to be included into the prime cost of the products (works, services) and on procedure for the formation of financial results to be taken into account in the course of profit taxation", and the value added tax shall be taken into account. In respect of the goods subject for excise fees charging the free sale prices shall comprise also the excise sums in accordance with the established rates.

The profit (loss) from the sale of the products, goods and services by free wholesale (sale) prices shall be calculated as difference between the sales proceeds (without value added tax and excise fees) and the costs included into the prime cost of the products, goods and services to be determined in accordance with the established procedure.

In the financial documents for the sold products, goods and services the amount of the value added tax shall be indicated in separate line.

9. In case of disagreement in the level of the free wholesale prices (tariffs) offered by the producer for the products (services) of industrial-technical designation under the nomenclature of interstate (interrepublican) supplies, which production is below the level of demand in the whole of the Kyrgyz Republic, and if at the same time the consumer has no possibility to choose another supplier of such products, - the final decision on the level of prices and their use shall be taken by the body which is responsible for the establishment and regulation of the prices (tariffs). In these cases the producer shall present the necessary calculations justifying the price levels.

10. The prices for the products and goods supplied via the agents (commodity exchanges, trade-procurement, supply-sale and other organizations) shall be determined on the basis of the free wholesale (sale) prices and the supply-sale margin which level is determined by agreement of the parties or is established in specific amounts.

11. The free wholesale (sale) prices for import products (goods) shall be established by enterprises and organizations buying the products (goods) from foreign suppliers on the basis

of the market situation (the existing state of demand and offer), the quality and consumer properties of the products (goods).

The prices shall take into account the import value (invoice value) indicated in the invoice of the supplier converted into soms by the exchange rate of the foreign currencies accepted in the Kyrgyz Republic as of the day of payment with addition of all the costs for purchase and delivery of the products (goods) to the border, as well as the import tax in the amount of the established rates, the customs duty and the commission to foreign-economy organizations and other organizations providing procurements of the products (goods).

III. The procedure for the formation of the free (market) prices for domestic and import consumer goods

12. The free (market) retail prices for consumer goods shall be formed on the basis of the free sale price with the value added tax and the trade margin. In the course of sale to the population the products of industrial-technical designation the free (market) retail prices shall be formed on the basis of the free wholesale prices with the account of the value added tax and trade margins.

13. In case of delivery of the goods or products to the seller through agents the free retail price shall be formed on the basis of the purchase price to be determined in accordance with section 10 hereof and the trade margin. In case of purchase of the good with full payment of its cost this good shall be sold in accordance with section 12 hereof.

14. The trade margin shall be determined by a seller on the basis of the market situation (the existing balance of demand and offer). The trade margin shall cover the costs of goods' turnover including transport expenses and other expenses of the seller, wholesale and retail trade organizations and enterprises.

The profit (loss) from the sale of the goods by free retail prices shall be determined as difference between the free retail price and the sale price with the account of all the expenses of the seller.

15. In case of sale of the consumer goods by trade wholesale enterprises to the retail trade enterprises directly from their warehouses the settlements for the sold goods shall be made by free sale prices with addition to them the wholesale margin to be determined by wholesale trade enterprises by agreement with the retail trade enterprises and other organizations.

16. Procurement of goods subject for sale by free retail prices to the enterprises for further processing, to out-of-market consumers, as well as to public service enterprises shall be made by free sale prices added by the value added tax (except import goods).

Sale of goods to the population shall be made by free retail prices, comprising the value added tax and other taxes provided by the laws of the Republic which are formed in accordance with section 12 hereof.

17. The cost of the materials and spare parts received by public service enterprises by free sale prices with the account of the value added tax shall be paid by clients in the course of

fulfillment of their orders for production and repair of the items by the same prices with the addition of the trade margin to be determined in accordance with section 14 hereof.

The same procedure shall be used for calculation of the free retail prices for the items subject for sale by public service enterprises as their additional service, as well as for the products and goods to be sold to the population directly by the enterprises-producers (where settlements are provided through the cash-office of the enterprise).

18. At public catering enterprises the margins shall be used in addition to the free wholesale prices.

19. The free (market) tariffs for public services shall be established by the enterprises and organizations rendering these services on the basis of the market situation (the balance of the offer and demand) in that region, the quality and properties of these services.

IV. Official registration of papers

20. The free sale and wholesale prices (tariffs) shall be registered in a coordination agreement to be signed by the directors (owners) of the enterprise-producer and the enterprise-consumer. The recommended forms of coordination agreements are given in Supplements ##1 and 2. The said prices may be registered in the agreements for delivery of the products (goods).

The agreements with separate legal entities (producers or consumers) may be registered in free form.

21. The free retail prices calculated in accordance with the established procedure shall be registered by the seller in the Register made in the form in accordance with the Supplement #3 or in any other free form, and if necessary shall be sent to the governmental bodies regulating the price issues.

22. The indication of the free retail prices at the labels of the goods or at the price-lists in the shops shall be made by retail trade enterprises in accordance with the procedures established for indication of the state retail prices for the corresponding goods.

23. The indication of the free retail prices directly at the items, at the good's and packing labels, in the registration certificates (for the goods designed for cultural and personal services and of the house-hold designation which are issued with the registration certificates), as well as at the control tapes for the enterprises-producers, - shall not be obligatory.

24. To the domestic goods to be sold by free prices the enterprises if necessary may assign indexes, consisting of letter "C" and the ordinal number of the article (it starts with number 1 for every year) or number of the model, as well as other designations under agreement with the consumer of this article.

25. The free sale (wholesale) prices for consumer goods (the products of industrial-technical designation) shall be indicated by the suppliers in goods-payment documents (invoices, bills, requisitions, etc.).

V. Change of free (market) prices and tariffs

26. The free sale and wholesale prices (tariffs) for consumer goods and products (services) of industrial-technical designation may be changed under agreement between the producer (supplier) and the consumer depending upon the increase (reduction) of the prices for raw materials and other materials as well as other factors which have influenced the change of costs for production and sale of the goods, products and services.

The procedure for price change may be established in the contract for goods delivery.

27. In case of change of the balance of demand and offer for consumer goods the free retail prices may be changed by a seller depending upon the market situation in this region, the reduction of free retail prices being made on the account of the seller.

The new free retail prices shall be put by the seller into the Register where the former prices for these goods were registered.

VI. Prices' regulation for the products of monopolist entities

28. Prices' regulation for the produced products (rendered services) shall be used by the business entities included into the Register of monopolist business entities of the Kyrgyz Republic.

29. The prices' regulation shall be made in accordance with the established procedures by the following methods:

- establishment of the maximum level for the prices and profitability;
- establishment of the maximum surcharges (coefficients) for the prices' change;
- declaration of the prices' levels.

30. The prices and tariffs for the products, goods (services) produced (rendered) by natural or authorized monopolists shall be regulated by the State department for antimonopoly policy under the Ministry of economy of the Kyrgyz Republic in accordance with section 28 hereof.

The prices for the products, goods (services) produced (rendered) by "temporary" monopolists shall be formed independently with the account of the real prime cost and the market situation.

31. For declaration of the prices' change the acting monopolist entities shall submit to the corresponding bodies the following information:

- the proposed change of the prices (tariffs);
- calculation of the prime cost of the products, goods (services) with specification of the material and labor costs, and other costs if necessary;
- the proposed volume of production;
- the amount of profit from the sale of these products as well as the amount of profit and the rate of profitability in the whole of the enterprise;
- justification of the reasons for the prices' and tariffs' change. The body which declares the change of prices shall be obliged to make decision in respect of the submitted materials within 20-days period of time.

The declared prices (tariffs) shall be made effective after receipt of the decision of the body which declares the change of prices, and in case of absence of such decision after 20 days from the moment of submission of the necessary documents.

32. The monopolist business entities included into the Register shall be controlled in accordance with this Regulation in respect of the nomenclature of the products for which they are considered monopolists. The control shall be provided by the corresponding antimonopoly bodies.

33. In case of the adoption of the decision on changing the prices declared in antimonopoly bodies the monopolist business entity shall be obliged to make it public in the form of declaration and to register the new level of the price and its effective date in the corresponding antimonopoly bodies in accordance with section 30 hereof.

34. For declaration of the prices the monopolist business entities shall submit to the antimonopoly policy bodies the declaration of the levels for these prices in two copies in accordance with the Supplement #4.

The corresponding antimonopoly policy bodies shall register the declared prices for the products of industrial-technical designation and for consumer goods by the recommended form of the register of the declared prices in accordance with the Supplement #5. The data for effectuation of the maximum declared price shall be considered the date of its registration by the corresponding antimonopoly bodies unless the term for their effectuation has not been agreed otherwise.

35. The basis for making decision on prices' declaration shall be the revision materials and the analysis of the activity of the monopolist business entities and their rivals, the complaints of the consumers and their associations, results of monitoring, statistical data or other information.

The decisions on declaration of the prices for the products, goods (services) of the monopolist business entities made by antimonopoly policy bodies shall be directed to the enterprise-producer of these products, goods (services), to the local governments, to the bodies of the State tax inspection under the Ministry of finance of the Kyrgyz Republic.

36. The control over the use and observance of this Regulation shall be carried out in accordance with the Regulation " On the procedure for use of penalty and economic sanctions for violations of the antimonopoly law, pricing discipline and protection of consumers rights".

37. The decision on termination of the prices' (tariffs') declaration for specific types of products, goods (services) shall be directed to the enterprise-producer and to the executive bodies.

Director _____

Director _____

Enterprise (association) -
consumer (client)

Enterprise (association) -
producer (supplier)

Signature _____
" _____ " _____ 199 _____

Signature _____
" _____ " _____ 199 _____

Stamp _____

Stamp _____

Agreement

of coordination of the free wholesale prices (tariffs) for the products (services) of industrial-technical designation between

_____ (name of enterprise-producer)

and _____ (name of enterprise-consumer)

for delivery (rendering services) _____

_____ (name of the products (services))

##	Name of the products (services), trade mark, type and other characteristics	Measurement unit	Free wholesale price(tariff) in soms with VAT ¹	Agent's supply-sale margin
1	2	3	4	5

The 5th column shall be filled in case of buying the products of industrial-technical designation through the agents.

¹ VAT - value added tax

Agreement
of coordination of the free sale prices for the consumer goods subject for sale by free retail prices

between _____
(producer)
 and _____
(seller)
 for delivery _____
(name of products)

##	Name and brief characteristic of the good	Index, trade mark, type, category and other indicators	Free sale price for a unit with account of VAT ²	Agent's supply-sale margin	Wholesale margin of the wholesale trade organizations
1	2	3	4	5	6

Producer (supplier)
Stamp

Signature

Seller
Stamp

Signature

Data

Data

Columns 5 and 6 shall be filled in case of buying consumer goods through agents or wholesale trade organizations.

² VAT - value added tax

 (name of the enterprise (seller),
 registering free retail prices)

as of " _____ " _____ 199_ # _____

Register

of free retail prices for _____ (name of the article)

##	Name and brief characteristic of the good	Index, trade mark, type	Terms for prices' change	Agreed free sale price (som)	Agent's supply-sale margin, amount or per cent	Free retail price (som) for one unit
1	2	3	4	5	6	7

Director (owner) of the enterprise - seller

Signature

Date

 The free sale price, margins and free retail price shall be indicated with the account of value added tax.

Declaration
of free wholesale (sale) price

The enterprise-producer _____ (name)

##	Name of the products	Type, trade mark, index	Unit of measurement	Free wholesale (sale) price for the unit (som)			Deviation of the maximum price from		Profitability in per cent to the prime cost		
				used within the reported period ³	declared by the enterprise	maximum established by the Committee	used within the reported period	the declared ⁴	of the prices used within the reported period	of the declared prices	of the maximum prices
1	2	3	4	5	6	7	8	9	10	11	12

³ costs calculation shall be attached

⁴ shall not be filled by the enterprise-producer

Registered:

Director of the State department
for antimonopoly policy under
the Ministry of economy
of the Kyrgyz Republic

" " 199

**Register
of the declared prices**

##	Name of the monopolist business entity	Name and brief technical char- acteristic of the product	Type, trade mark, index	Unit of meas- urement	Level of the declared price
1	2	3	4	5	6