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# BUSINESS ENVIRONMENT IMPROVEMENT PROJECT

QUARTERLY REPORT  
APRIL – JUNE 2009

**July 13, 2009**

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The Business Environment Improvement Project (BEI) is pleased to submit its quarterly report to USAID detailing progress and achievements for the quarter April – June 2009.

## REPUBLIC OF KAZAKHSTAN

### GENERAL

The USAID BEI Project in Kazakhstan had extensive success during the quarter in both World Bank Doing Business and addition legal reforms, with effective cooperation with the Prime Minister’s Office, ministries, and Parliament leading to the passage of laws and regulations to simplify the procedure for starting a business, further improve construction permitting, enhance investor protections, and improve access to credit, and a fundamentally new inspections system pending adoption next quarter. Local subcontractors have also had success, including a significant reduction in time required for land allocation in East Kazakhstan Oblast. Parliament’s passage of the draft law on inspections introduces important risk management concepts to Kazakhstan, and under the Prime Minister’s order an extensive and expansive permissive system review and guillotine has taken place and will be finalized early next period.

Work Plan Tasks April 2009 – June 2009 Quarter			Work Plan Tasks October 2008 - June 2009 Contract Year		
Total Planned	Completed	In Progress	Total Planned	Completed	In Progress
<b>46</b>	<b>36</b>	<b>10</b>	<b>134</b>	<b>124</b>	<b>10</b>
Percent Completed		Variance	Percent Completed		Variance
<b>78.3%</b>		<b>21.7%</b>	<b>92.5%</b>		<b>7.5%</b>

### TECHNICAL

- In May, BEI signed new agreements with two organizations in western Kazakhstan, the Mangistau Oblast branch of the Independent Association of Entrepreneurs in Aktau and the Association “Center of Small Business” in Uralsk, to implement sub-national reforms in the area.
- During April - June 2009, the Government of Kazakhstan (GoKZ) made further staff changes, appointing a new Vice Prime Minister, Mr. Serik Akhmetov, to coordinate business support and development activities, and new Ministers of Justice and Industry and Trade, along with new chairmen for committees under the Ministry of Justice. New Akims were also appointed in East Kazakhstan and South Kazakhstan Oblasts, along with heads of their respective government bodies. BEI successfully established working relationships with these new officials and expects reforms to continue.
- The GoKZ plans to further restructure some ministries and the Entrepreneurship Support Department during the next quarter. On June 2, the MoJ announced that all 300 Public Service Centers (PSCs) would be transferred to local executive bodies as of January 1, 2010, but an official order has not yet been issued.

## WORLD BANK DOING BUSINESS ACTIVITY

### National Activity

- On June 26, 2009, a conference was held discussing further improvement of Kazakhstan's positions under in the World Bank Doing Business report. This joint "Doing Business in Kazakhstan" conference was arranged in Almaty by the USAID BEI and RTLC Projects, the World Bank, and MEBP, and was attended by over 140 high-level representatives from the GoKZ MEBP, MIT, Agency for Financial Control, MoF, Ministry of Health, World Bank, international organizations EBRD, EU, EurasEC, AmCham, and the Foreign Investors' Council, and the private sector.
- The Expert Group on Starting a Business drafted, with BEI assistance, amendments to simplify the procedure for registration of legal entities. The draft amendments were submitted to Parliament in late March and provide for the following improvements:
  - reduction of the period of registration for legal entities from 3 to 1 working day;
  - for other cases the registration period is reduced from 10 to 7 working days;
  - charter capital requirements are reduced for the limited liability partnerships (LLPs) qualifying as SMEs from 127,300 to 12,730 KZT (about \$85 USD); and,
  - removes the requirement for small and medium LLPs to pay 25% of charter capital prior to registration.

BEI expects the reforms to be adopted next quarter, which delays completion of work plan activities KZ 01.2.9 and 01.2.10. – **KZ 01**

- BEI's action plan for the development of electronic training for PSC employees was submitted to the Ministry of Justice (Moj). Due to changes in the management of the Ministry the plan has not yet been reviewed by the Moj and will be resubmitted to the Moj's new management and the Committee for Registration Services during the next quarter. The change in Moj staff delays work plan activity KZ 01.4.1. – **KZ 01**
- In April, MIT and the Construction Committee submitted to the Prime Minister's Office amendments, developed with BEI assistance, to laws #242-II of July 16, 2002, and #214-III of January 11, 2007, on optimization of the construction process. Once approved and passed by Parliament the amendments are expected to:
  - exclude technical supervision as a type of activity regulating the construction process;
  - simplify examinations of low-technology structures designated for personal use by individuals;
  - streamline the final commissioning procedure and reduce its duration from 30 to 15 days; and,
  - eliminate the required annual extension of the "construction and erection works permit."

The amendments are expected to be submitted to Parliament during the next quarter. – **KZ 02**

- BEI and MIT jointly prepared draft amendments to Government Resolutions #425, #918, #1328, #840 on the procedure for getting construction permits, and posted them for public comment on MIT and BEI websites, distributed them to VBDDB respondents, and to partners through the BEI information network. Incorporating feedback, these amendments will be finalized and submitted to

the Prime Minister for approval in August. The amended resolutions make further changes to the construction process by:

- excluding the requirement for notarized documents when obtaining construction permits;
- reducing time needed for obtaining construction permits from the State Architecture Construction Committee from 14 to 7 days;
- streamlining processes via a “one-stop-shop” for obtaining Architectural Planning Assignments and technical conditions for electrical, water, and sewage connections;
- improving further the final commissioning procedure (in addition to changes to the laws, above); and,
- reducing the list of build projects that must be examined by state expertise.

These amendments, when adopted in combination with the above changes to laws #242-II and #214-III, have the potential to reduce the number of procedures to 22 and days required to 150 for the construction permitting process as measured by the WBDB survey. – **KZ 02**

- In June, as part of the construction reform plan a working group was formed in Almaty to locally implement national reforms and to identify and address barriers to construction not captured by the WB process. Resolution of the Akim of Almaty #107-P of May 29, 2009, sets the WG members as follows: Deputy Akim of Almaty Mr. Dolzhankov, representatives from architecture and town-planning government bodies, public utilities, and BEI. The WG will develop recommendations for optimizing construction permitting procedures, implementing national reforms, and rules for cooperation between Almaty construction bodies. – **KZ 02**
- Based on BEI recommendations and discussions with the Agency of Financial Surveillance and Agency on Financial Control regarding the “Getting Credit” indicator a package of draft amendments to the Civil Code is being finalized for presentation to Parliament in the fall. BEI’s recommendations include:
  - to allow transfer of non-property pledge rights through combined company funds without requiring specific descriptions of the pledged property;
  - provide for automatic extension of security interests for future products, procedures and replacements;
  - allow a general description of the obligation; and,
  - to clarify moratoriums for recovery against property applied to the mortgaging creditors and whether it is applied in case of liquidation and reorganization. – **KZ 03**
- BEI and the MoJ began verification of implementation of Law #151-IV “On the Amendments to the Law of the Republic of Kazakhstan ‘On the State Registration of Rights for Immovables and Transactions with Them’” of April 22, 2009, and MoJ Orders #18 of February 20, 2009, #331 of December 3, 2008, and #353 of December 30, 2008. The improvements:
  - establish a procedure for issuing electronic references for immovable property registered through PSCs;
  - reduce the time period for reference issuance from 5-3 days to 1 day for paper, or 30 minutes for electronic processing; and,

- reduce the time-period for registration of rights to a non-residential premise in a residential building, non-residential structure, and non-residential property complex to 10 days.

Monitoring surveys are being administered through PSCs to over 350 people in Astana, Almaty, Uralsk, Aktau, Oskemen, Ridder, Zhyriyanovsk, Shymkent, Taraz, and Kzyl-Orda, with results expected next quarter. The WB DB reform team is evaluating these changes as well for the 2010 DB Report. – **KZ 04**

- On June 29, 2009, Parliament adopted the draft Law “On Payments and Remittances, Accounting Reports and Financial Statements for Financial Institutions and the National Bank” developed with BEI assistance by the Agency for Financial Surveillance. The draft law is designed to improve the Protecting Investors indicator by requiring joint-stock companies to publish information regarding transactions in their regular financial statements. This change, when signed by the President, is expected to improve the Disclosure Index from 7 to 9, a shift that could increase Kazakhstan’s Protecting Investors indicator up to 29 places (from 53<sup>rd</sup> to 24<sup>th</sup> rank). The timing of the law’s adoption delays completion of work plan item KZ 08.1.5. – **KZ 08**
- A response is pending from the WB to a clarification request sent by the GoKZ regarding the 2009 Report’s “Bankruptcy” indicator data. The WB suggested the Ministry of Finance consider collective weaknesses in KZ bankruptcy law and the bankruptcy system (judges, liquidation trustees, and creditors) and to improve the bankruptcy administration system. It also made recommendations on the definition of first priority mortgaging creditors. – **KZ 09**
- On June 10, 2009, the National Bank of Kazakhstan in its Decree #54 “On the Official Refinancing Rate of the National Bank of RK” decreased its interest rate to 8.5%, following consultations with BEI, the World Bank, and other experts regarding measures that can improve the DB “Closing a Business” indicator. While BEI did not provide specific guidance regarding the rate change, should the WB incorporate the new interest rate into its bankruptcy calculations this could improve KZ’s position in Closing a Business. – **KZ 09**

### Sub-National Activity

- BEI subcontractor in Shymkent, Business Incubator “SodBi” (SodBi), completed monitoring in April of the processes of registration of legal entities and the implementation of template charters. The Shymkent Working Group, including SodBi, submitted recommendations to reduce identified information barriers and will draft recommendations for PSC consultants on the establishment, re-registration and voluntary liquidation of legal entities. – **KZ 01**
- BEI subcontractor, Association for the Protection of Entrepreneur’s Rights in Astana (APER), developed a process map for legal entity registration in Astana that was approved by the Department of Justice and distributed to the city’s PSCs. The process map was posted to the APER website, and during the next quarter will be published in booklet form. This process map fills an information gap identified among Astana entrepreneurs, and will assist them in deciding on the best type of registration for their business. – **KZ 01**
- BEI subcontractor, Foundation for Informational Support of Society Development (FIPRO), presented approved process maps, developed in cooperation with local PSCs, the Department of Justice of EKO and local akimats, for legal entity registration in the cities of Zhyriyanovsk (April 16), Oskemen (April 17), Ridder (April 20). During the next quarter FIPRO will complete implementation monitoring of registration reforms and the process maps, and publish a booklet on legal entity registration procedures for distribution in eastern Kazakhstan. – **KZ 01**

- In April, the EKO Akimat approved a new process for construction permits and land allotment processes, developed by the local working group with FIPRO, government bodies, and the Fund and Association of Constructors and Entrepreneurs. In Letter #03-11-2/294, the Akimat approved the new process, reducing the time required from 135 to 19 days, a savings of 113 days. This change is not part of DB-assessed processes and is estimated to save over \$1.18 million per year for 350 applicants, based on data from the EKO Akimat. Also in Decree of the Akim #497 of April 23, 2009, the number of government bodies involved in the construction permitting process was reduced from 8 to 5 and the time required for permit approval was reduced by 60 days, saving an estimated \$936,000 for 520 applicants per year. A new map of the processes was forwarded to EKO cities and districts for local execution, and FIPRO conducted follow-up round-table discussions and presentations on the changes in Ridder (April 20), Zhyranovsk (April 16), and Oskemen (April 23 and May 13). – **KZ 02**
- BEI partners completed monitoring of construction reform implementation in Shymkent, Astana, Almaty and Oskemen. The over 120 entrepreneurs and government respondents report proper implementation of the new procedures. – **KZ 02**

## NON-WORLD BANK DOING BUSINESS ACTIVITY

### National Activity

- In April 2009, the Tax Committee approved a BEI monitoring questionnaire on implementation of the new Tax Code and entrepreneur knowledge of reforms in voluntary liquidation of a business. The questionnaire was distributed through partner associations, the Forum of Entrepreneurs of Kazakhstan (FEK) and on the BEI website. Results will be available next quarter, with a subsequent report for the Ministry of Finance. BEI also provided FEK with information and recommendations on voluntarily business liquidation problems for presentation to the President. – **KZ 05**
- On June 25, 2009, Parliament adopted the Law “On Making Amendments and Additions to Some Legislative Acts of the Republic of Kazakhstan on Private Entrepreneurship Issues”, amending the inspections process based on the concept developed in 2008 by MIT and BEI. These amendments affect 67 laws and 8 codes, and:
  - provides a clear definition of an inspection (i.e. an investigation that can result in a fine);
  - requires all inspections and other forms of investigation be carried out according to a schedule developed using an approved risk management system;
  - mandates that all investigations (excepting criminal investigations) be registered at least 30 days in advance with the Committee on Legal Statistics of the General Prosecutor’s Office; and
  - includes risk management principles for use with inspections.

BEI expects the President to sign this law during the next quarter, after which it will support implementation. – **KZ 06**

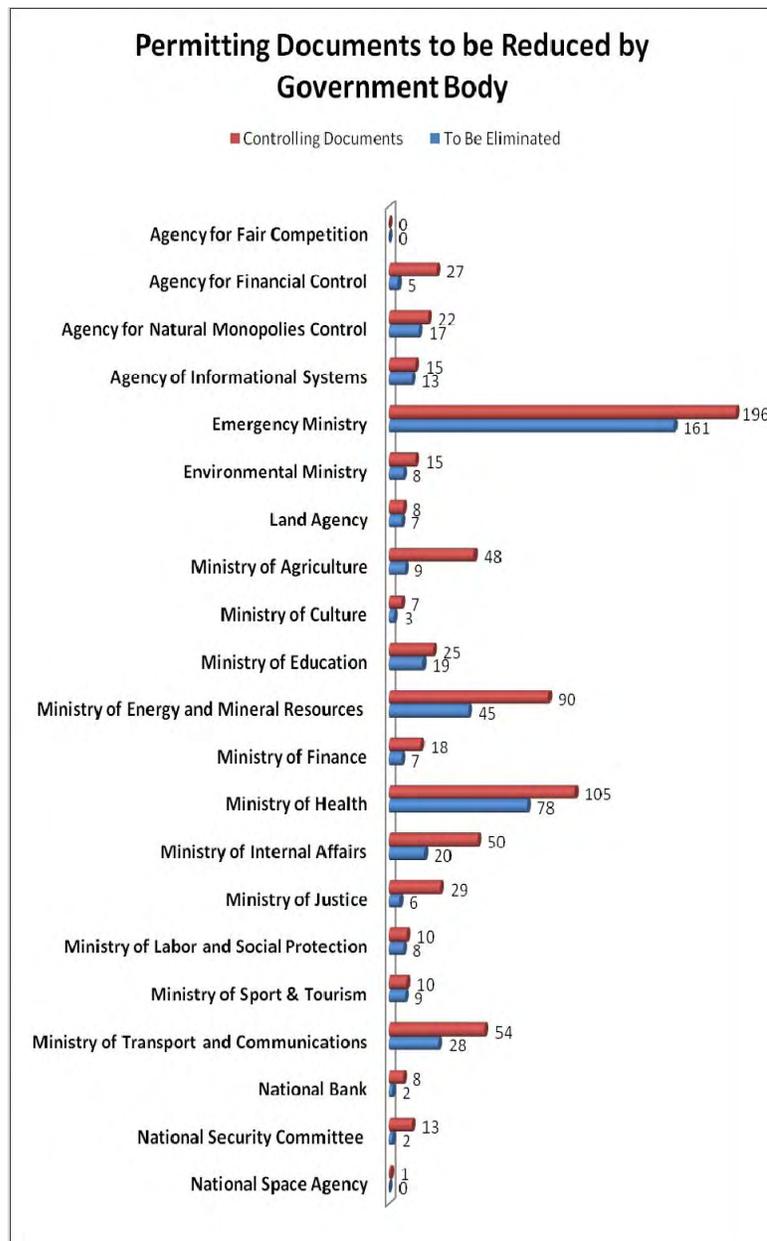
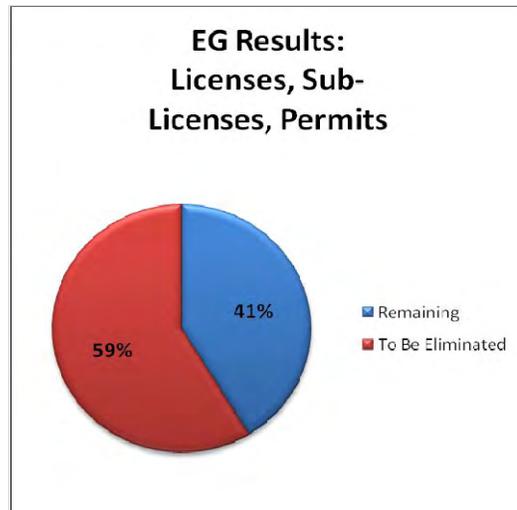
- In May, BEI presented information on risk management to MEBP and assisted their preparation of a draft concept for the regulation of entrepreneurship activity that will further serve as a methodology for development of individual, ministerial risk-based inspections activities. During the Prime Minister’s Inter-branch Commission on Administrative Reforms, held on June 26, 2009, he ordered the Government to incorporate risk management into business regulation, effective July 1, 2009—at

the conclusion of the President’s moratorium on inspections. BEI is preparing further training materials and presentations for government bodies and the business community on risk management, for completion and submission to MEBP during the next quarter. – KZ 06

- On March 30, 2009, Prime Minister Massimov in Order #47-p established an Expert Group (EG) under Deputy Prime Minister Orynbaev and subordinate working groups in 22 Government ministries and agencies to review all permitting documents and reduced them at least 50% using the guillotine methodology. This Expert Group includes representatives from BEI, the private sector associations, and expert advisors. Permitting documents for this process include licenses, permits, sub-licenses and other controlling documents issued by the government bodies. The EG began on May 7 and its mandate is extended to July 15. By June 26, the EG completed reviews of 751 licenses, sub-licenses, and permits from 21 government bodies and identified over 441 for elimination. A report for the Prime Minister will be prepared by July 15, with the package of recommended documents to be eliminated. – KZ 07

### Sub-National Activity

- In April, the EKO Akimat approved an updated process map for voluntary liquidation of legal entities presented by FIPRO, and posted the new process map on the website of the oblast Akim, Department of Justice, FIPRO and city PSCs. Further round-table discussions on the map and problems with voluntary liquidation were held in Zyryanovsk (May 22), Ust-Kamenogorsk (May 28), Ridder (May 19), for local government representatives and entrepreneurs. The participants



recommended additional simplification of the tax authority’s approval process and the procedure for obtaining a tax clearance certificate. – **KZ 05**

- In April, APERA facilitated creation of a working group under the Astana Akimat on reform and optimization of procedures for alcohol licenses. The working group developed and approved new requirements for obtaining retail alcohol sales licenses that exclude fencing requirements and optimize interactions between government bodies in the approval process, reducing the time by 3 days and saving an estimated \$76,800 for 512 applicants per year. – **KZ 07**

## UPCOMING EVENTS

- A seminar on interaction between businesses and state inspections bodies is planned for Shymkent, in July
- The Expert Group on Licensing Reform expects to present the final results of the permissive system review to Prime Minister Massimov in August
- Monitoring results for PSC implementation of business and property registration reforms in Astana are expected to be presented in August
- The seminar “Monitoring results on voluntary liquidation of legal entities” is planned in Oskemen for September

## KYRGYZ REPUBLIC

### GENERAL

The USAID BEI Project in the Kyrgyz Republic had an extremely active and successful quarter, with Parliament adoption and/or Presidential signing of several key legislative reforms. Significant events include: improved business registration process, streamlined notary requirements for property registration, improved Tax Code, a package of 14 acts related to the Law “On Inspections”, and the new Law “On Normative Legal Acts”, which instills long-awaited order in the Kyrgyz legal structure.

BEI, in cooperation with partners, conducted extensive reform implementation and monitoring activities at both national and local levels, regional trainings throughout the KR, and facilitation of WB DB Team reviews. BEI activities laid the foundation for other reforms expected in the next quarter including an order placing inspections registration authority in the Prosecutor’s Office, and the identification by BEI of redundant regulatory bodies for merger or elimination.

Work Plan Tasks April 2009 – June 2009 Quarter			Work Plan Tasks October 2008 - June 2009 Contract Year		
Total Planned	Completed	In Progress	Total Planned	Completed	In Progress
<b>70</b>	<b>54</b>	<b>16</b>	<b>154</b>	<b>136</b>	<b>18</b>
Percent completed <b>77.1%</b>		Variance <b>22.9%</b>	Percent completed <b>88.3%</b>		Variance <b>11.7%</b>

## TECHNICAL

- On June 10, 2009, in Bishkek, the President and 52 business associations participated in a “Forum on Establishment of the Effective Public Private Dialogue Mechanisms” on strengthening partnership between government and business. BEI assisted in planning and execution of the forum, which included demonstration to the President of regulatory impact analysis for streamlining licensing and permitting systems as an example of effective partnership between business and government.
- The President announced support for a new National Council for Public-Private Cooperation under the KR President for government and business collaboration to develop procedures for effective impact assessment.
- At the request of the President’s Secretariat, the BEI Project is included in the working group to develop the Regulation “On the National Council under the KR President on Public-Private Cooperation”, expected to be completed during the next quarter.
- At the request of the Government of the Kyrgyz Republic (GoKR), BEI assisted in preparing the 2008 Prime Minister’s Report on KR Government Activity. The report was presented by the Prime Minister and approved by Parliament on April 23, 2009.
- BEI provided consultative support to the working group for the draft Law “On Amnesty for Unstated Tax, Customs Liabilities and Property Legalization” that implements Presidential Decree #460 of December 24, 2008 “On High Priority Measures for Legalization of Capital and Property.” BEI’s assistance included development of a concept on capital amnesty using the experiences of other former USSR countries, which was adopted by the Government in April, and creation of the draft Law itself. The Law on Amnesty was significantly changed by Parliament after its approval by the Government, and the Prime Minister is expected to submit recommendations regarding Parliament’s modifications to the President. BEI has a neutral opinion of the changes.

## WORLD BANK DOING BUSINESS ACTIVITY

### National Activities

- BEI supported a KR delegation that was sent to the Doing Business 2009 Reformer’s Club Awards Ceremony in Vienna on April 22, 2009. The Kyrgyz Republic was invited as a top reformer to this annual event, which provided an excellent forum to consult with other country representatives and reform experts on ongoing reforms and current best practice. The KR delegation included the head of the President’s Investment Council Mr. Koychumanov and Minister of Economic Development and Trade Mr. Japarov. BEI and the KR Embassy to Austria organized meetings with representatives from the Austrian Chamber of Commerce and fellow reformer delegations from:
  - Egypt, with Mr. Mohieldin, Minister of Investment;
  - India, with Mr. Ajay Shankar, Vice Minister and Secretary to the Government of India, Ministry of Commerce; and,
  - Azerbaijan, with Mr. Mustafayev, Minister of Economic Development.

These decisions and contacts are valuable as KR implements Phase 2 WBDB reforms and considers future plans.

- From June 22 to 26, 2009, a WBDB team visited Bishkek for reform validation and monitoring with the GoKR and BEI ahead of the 2010 Report. The WBDB team consisted of Alexandra Mincu, Doing Business Project Consultant Financial and Private Sector Development Vice Presidency, and Tea Trumbic, Doing Business Project Consultant. Their mission included consultations on Protecting Investors, review of the results of the BEI-Tax Committee survey and analysis, observation of KR “one-stop-shops” under the MoJ, review of construction permits, and examination of Gosregistr property registration procedures. – **KR 01, 02, 03, 04, 05, 06**
- On April 21, 2009, First Vice Prime Minister Mr. Babanov, in Order #16-830 “Implementation Steps, Aimed at the Improvement of the KR’s Indicators in the International Rating of the WB Report ‘Doing Business – 2010’”, approved an action plan developed with BEI assistance for implementing previously adopted NLAs until December 2009. – **KR 01, 02, 03, 05, 06**
- President Bakiev signed amendment package #105 of March 30, 2009, to the KR Civil Code and the Law “On Business Partnerships and Entities”, and on June 11, 2009, Parliament adopted amendments to the Law “On State Registration of Legal Entities.” These amendments include BEI recommendations for:
  - canceling the minimum initial charter capital requirement;
  - establishing charter capital during the first operating year rather than at registration; and,
  - making notarization voluntary for shareholder signatures when starting a business.

These reforms, along with implementation of Law #57 of February 20, 2009, that canceled requirements for legal expertise during business registration, are expected to eliminate 11 days, 2 steps, approximately \$27 USD in fees, and 0.4% GNI PC initial charter capital from the WBDB Starting a Business process, which may improve the KR’s rank from 31 to as high as 4. The amendments to the Law “On State Registration of Legal Entities” covering voluntary notarization of business registration documents have been sent to the President for signing next quarter. – **KR 01**

- BEI completed upgrading and optimizing the database of legal entities for registration bodies and the MoJ website. The database allows people to check the profiles of registered companies online and easily obtain forms and details about registration procedures. – **KR 01**
- On May 29, 2009, the Ministry of Industry, Energy and Fuel Resources and “Gosstroj” adopted Joint Order #154/75 “On Centralized Payment Collections for Issuing Technical Conditions and Connections to Engineering and Technical Networks within the ‘One Stop Shop’ by the Territorial Bodies of ‘Gosstroj’”, developed with BEI assistance. During the next quarter the engineering and technical agencies that provide electricity, water, sewer, gas and heat are required to agree with the Antimonopoly Committee on a list of tariffs for the issuance of technical conditions and provide that list to Gosstroj. – **KR 02**
- BEI completed implementation monitoring of new procedures for issuance of construction permits in 8 pilot KR cities. While government agencies responsible for participating in the planned public-private working group on improvement of legislation regulating land relations refused the official Government Instruction, BEI expects to present the monitoring results and raise the issue of the working group on land legislation at the Investment Council meeting, next quarter. This delays work plan items KR 02.2.2, 02.2.3, and 02.10.1. – **KR 02**
- On April 10, 2009, Gosregistr in Order #50 introduced additions to the Practical Guide “On State Registration of Rights and Restrictions of Rights on Immovable Property and Transactions with Them.” This Order implements previous changes to the Law “On State Registration” and to the Civil Code, reported last quarter, by defining registration procedures for rights without notary

certification of real property alienation contracts, and making changes to the list of required documents. These improvements save 1-3 days per registration. – **KR 03**

- Gosregistr, in Order # 70 of April 20, 2009, approved new tariffs for services provided by its local offices, reducing total tariffs by an estimated 98% on average. BEI assisted in reforms leading up to the new tariff structure, but Gosregistr determined the final rates. – **KR 03**
- During April 2009, BEI retained Georgian tax expert Aleksi Aleksishvili to analyze KR taxation and tax administration systems. His analysis and recommendations to reduce tax payments and overall tax report burden is expected to be completed and presented to the Prime Minister's Office next quarter. – **KR 04**
- The Tax Committee began implementation of its April-December 2009 Improvement Plan for the introduction of risk assessment. Implementation is supported by the USAID BEI and EREC projects, IFC BEE Project and the ADB, and includes analyzing the risk of tax non-payment, optimal allocation of inspection resources, and training of tax inspectors. – **KR 04**
- On April 29, 2009, the Government issued Decree #154, approving the new structure of the State Tax Committee. The new structure incorporates recommendations from BEI and the ADB Reform and Modernization of Tax Administration Projects regarding delineation of the Committee's internal functions of policy development, regulation, supervision and control, and brings it into compliance with Law #155 "On Government" of October 19, 2008. The changes are expected to improve transparency and reduce conflicts and opportunities for corruption among the controlling and collecting tax departments. – **KR 04**
- Amendments to the Tax Code were approved by Government and Parliament, and sent to the President for signing on June 25, 2009, with his action expected next quarter. These amendments were prepared by the Inter-Agency Commission on Improvement of the New Tax Code under First Deputy Prime Minister Omurbek Babanov, and revise tax administration and control, minimum estimates of income tax, sales tax on profit, and the VAT. The drafts received input from ministry and private sector representatives, including over 500 comments and suggestions received from the public, businesses, and donor projects. The Commission is continuing to develop additional draft amendments regarding the banking sector, property taxes and other issues for presentation to Parliament in September. Late adoption of these amendments delayed work plan items KR 04.1.6 - 04.1.9, 04.5.2, and 04.5.3. – **KR 04**
- BEI and the Expert Group on Getting Credit completed an inventory of sub-normative acts for amendment or repeal for compliance with the Law "On Pledge" and the Civil Code. Based on the inventory, on June 3, 2009, the Moj approved Order #131 "Instruction on the Order of Registration of Mortgage Transactions of Movable Property by the Mortgage Registration Office of KR." This new order is part of implementation for Phase I reforms to the Getting Credit indicator. – **KR 06**

### **Sub-National Activities**

- On April 13-14, BEI and the Moj conducted a series of workshops in all oblasts of the KR and the cities of Osh and Bishkek to train 71 local officials in the process of one-stop-shop registration of legal entities per Law #57 "On State Registration of Legal Entities, Branches and Representative Offices" that became effective April 1, 2009. BEI conducted trainings and on-going monitoring in Osh and the southern KR with the Departments of Justice of Osh and Osh Oblast for officers from territorial departments of the Ministry of Justice, State Committee for Taxes and Collections, Social Fund, National Statistics Committee, Ministry of Internal Affairs, representatives from commercial

banks and notary offices, and mass media. Based on workshop feedback, BEI and the MoJ developed amendments to the Law “On State Registration of Legal Entities” to increase clarity of the registration process. These amendments are expected to be considered by Parliament in late 2009. – **KR 01**

From Osh, BEI consultants completed monitoring in April of construction permitting procedures being implemented by 7 pilot cities: Osh, Kara-Suu, Jalal-Abad, Tokmok, Kara-Balta, Nookat, and Bishkek (monitored by BEI Bishkek). In parallel, Gosstroj Order # 51 of April 14, 2009, created a special commission to conduct additional monitoring of “one-stop-shop” implementation in the architecture offices of Bishkek city, Sokulukskiy and Alamedinskiy rayons, and Chui and Issyk-kul oblasts. The final report on monitoring results is expected next quarter. – **KR 02**

- On April 30, 2009, the Bishkek City Kenesh approved Resolution #68 “On Approving Tariffs for Issuing Technical Conditions and Connections for New Construction Projects Subject to Reconstruction, Conversion, and Alteration to Water Supply and Sewerage within the Territory of Bishkek.” This resolution was prepared with BEI assistance as an implementation measure for Government Resolution #100 of February 10, 2009, as part of Phase I implementation of reforms to the process for obtaining utility connection technical conditions. Resolution #68 resolves contradictions associated with the procedures for issuing technical conditions, technical condition payments, and utility connections and contracts, enabling the single-tariff approach to be implemented, greatly improving transparency, and simplifying the process. – **KR 02**
- Based on BEI’s recommendations the Bishkek Mayor’s Office amended Regulation #311 of April 17, 2007, “On Regulation of the Removal of Community Landscape and Irrigations.” This amendment:
  - transfers construction-based use of municipal property from an administrative law procedure to a civil law procedure, which eliminates extraneous permits and inspections for construction-related alterations; and,
  - provides a transparent procedure for altering municipal landscaping (greenery) during construction, including removal of restrictions on property owners and mandatory fees and contracts.

These changes will greatly simplify interactions between entrepreneurs and Bishkek municipal government bodies during construction, reduce fees for property owners, improve transparency, and reduce opportunities for corruption during the construction process. – **KR 02, 07**

## NON- WORLD BANK DOING BUSINESS ACTIVITY

### National Activity

- In May, BEI partner Prompt Legal Lobbying Service (SOYUL) began an inventory of the MEDT Normative Legal Base regulating entrepreneurship to identify and eliminate illegal NLAs. The inventory is scheduled to conclude next quarter.
- In April and May, BEI assisted the Prime Minister’s Inter-Agency Commission on Streamlining the Regulatory Framework Governing Business Activity to develop draft amendments to the Law “On Licensing” based on the Commission’s ongoing permitting system guillotine work. The amendments, eliminating 6 of 36 licenses, were approved by Parliament on June 25, 2009 and are expected to be signed by the President next quarter. – **KR 07**

- In April, BEI and the MEDT developed a package of amendments to 14 laws to bring them into compliance with the Law “On Inspections.” These amendments were signed by the President in May, and impose further controls on regulatory authorities that:
  - prevent them from issuing decisions to close or suspend the activity of enterprises—a suspension of activities order can now only be issued by the courts following an authorized and properly performed inspection; and,
  - increase administrative and criminal penalties for violations by regulatory authorities of the inspections law. – **KR 08**
- In May, BEI completed review of the activities of regulatory bodies, based on Presidential Decree #435 of December 9, 2008, which calls for elimination of at least 30% of KR’s regulatory bodies. BEI identified overlapping functions in 9 of 21 bodies and submitted its proposal to MEBT to eliminate 7 bodies and transfer the duties of the remaining 2 to other authorities. BEI expects these recommendations will be incorporated in the fall into the new structure for the GoKR, to be formed after the upcoming presidential elections in July. – **KR 08**
- In April, BEI, the MEDT and IFC drafted an amendment to the Law “On Inspections” that, when adopted, will:
  - introduce risk management to prioritize inspections; and,
  - reduce the time-limit for inspections from 30 days to 15 days, and for inspections of small businesses to a maximum of 5 days.

The draft amendment completed the reconciliation process with ministries and was sent to the Government for final approval in April, where it is still under consideration. – **KR 08**

- On May 14, 2009, the President issued Decree #237 “On the Implementation of a Single Record Order of Business Entities”, conferring on the Prosecutor’s Office (PO) authority for the registration and maintenance of a single statistical record of all business inspections. This change is significant, as the formerly responsible MEDT could not control inspections by law enforcement or tax bodies, which was revealed by BEI’s monitoring during the past period of the Presidential Decree “On Moratorium of Inspections.” The Decree further requires that:
  - an inspection of businesses by law enforcement, tax and other authorities be held only after registration of its inspection act with both the General and subordinate public prosecutor’s offices; and,
  - the Government and General PO draft implementation amendments within three months to the Law “On Inspections”, Regulation “On Business Entities Inspection Order”, and the list of regulatory bodies.

The Government has begun implementing this decree, and issued Order #281 of June 6, 2009, creating an Inter-Agency Commission with government agencies, the PO, and business community and international organization representatives—including BEI. This Commission is scheduled to submit next quarter draft NLAs, including procedural rules for granting and recording the acts appointing business inspections. The General Prosecutor outlined his plan in draft, which calls for each inspection appointment act to bear the PO registering stamp, and for businesses to call a PO hotline if any inspection is attempted illegally—without that mark. BEI plans to further support the PO by bringing representatives together with their inspections reform counterparts in Astana, Kazakhstan during the next quarter. – **KR 08**

- On May 21, 2009, Parliament adopted the new Law “On Normative Legal Acts”, developed and facilitated with BEI assistance, which once signed by the President will:
  - establish a clear hierarchy for Normative Legal Acts and the extent of their legal validity;
  - define impact assessment regulations;
  - remove the ability of departments to engage in rule-making, restricting that power to the Government, Supreme Court, President, and Parliament;
  - provide an order for arbitrating between conflicting NLAs;
  - automatically void all remaining legal acts dating from the Soviet Union as of December 31, 2009; and,
  - create a mandatory register of standard legal acts and a state register of subordinate legislation regulating enterprise activity.

BEI expects the President to sign this law next quarter, with implementation, training, and monitoring phases extending into the next project year. – **KR 09**

### **Sub-National Activity**

- In May, BEI developed a memorandum of cooperation between the Osh Mayor’s Office, BEI, and the business community that was signed on June 5, 2009, by the Mayor and members of the Council of Public Expertise. This MOU covers cooperation for implementation of WBDB reforms, impact assessment, inspections, and general improvements to the business environment, and includes access by the Council to copies of all economic-related decisions made by the Mayor’s Office. To implement the Memorandum the Council is developing an action plan that will, after receiving the Mayor’s approval, be presented next quarter.
- The first organizational meeting of the Advisory Council under the Governor of Osh Oblast was held on May 26, 2009. The Council, which includes BEI, has two purposes:
  - implementation and introduction of reforms to improve the business environment, and,
  - implementation of economic projects and programs.

The Council will implement the work of the Investment Council under the President of KR at the regional level, and its Secretariat will be funded by GTZ.

- On May 23-25, the Arbitration Institute of Stockholm’s Chamber of Commerce, in cooperation with the International Court of Arbitration (ICA) and Baker & McKenzie law firm, and supported by a grant from BEI, held a seminar on “Practical Issues in International Commercial Arbitration Cases” for KR lawyers, legal experts, and arbitration judges. The seminar involved experts in the field of law, the KR judiciary, and lecturers from Sweden, England and Russia, and provided the following benefits for participants:
  - improved professional skills and qualifications for ICA arbitrators;
  - greater knowledge by private-sector lawyers regarding non-governmental arbitrage and the rules of the arbitration process; and,
  - knowledge and skills based on fundamental principles and rules for the arbitration process as experienced through a specific international dispute case presentation.

- In May, BEI grantee the Communication Operators Association received and installed a CISCO Internet Exchange Point switching unit, acquired with special approval from USAID, under their grant to increase business access to draft economic laws and regulations posted according to KR law to government websites for public comment. Corresponding with the installation, KR internet providers LLC “MegaLine”, LLC “AkNet”, LLC “Fast.net”, and JSC “Kyrgyztelecom” either dramatically reduced their internet fees or offered new, flat-rates for unlimited traffic. The reduced rates will enable more local businesses to participate in online review of KR regulation.
- BEI partner SOYUL, in the spirit of the “Kolokol” hotline, implemented a similar hotline with MEDT regional offices through which businesses can directly report illegal NLAs for future elimination. This hotline, due to the MEDT’s involvement, covers all of KR and was presented on June 8 to representatives from business, the Tax Committee, Parliament, Government and General Prosecutors Offices. BEI is assisting MEDT to provide a similar service on their website, which will be active next quarter in both Kyrgyz and Russian languages. The “SOYUL” hotline has already received NLA reports from: LLC “GazpromNeftAzia” Bishkek, Heat Station of Kara–Balta City, and Business Association “Soyuztekstil.” – **KR 07**
- Though the working group under the Inter-Agency Commission completed substantial portions of the Phase 2 review of NLAs, the Commission delayed its final review due to scheduling conflicts with MEDT and the Prime Minister. This delays work plan item KR 07.1.7. – **KR 07**
- In April, BEI submitted monitoring results for the Law “On Inspections by Subdivisions of the Department of State Sanitary and Epidemiological Oversight” (DSSEO) to MEDT and DSSEO offices for action. BEI is in discussions with DSSEO regarding additional training for field office staff to address issues identified during monitoring. – **KR 08**
- On May 18, 2009, BEI Osh consultants and the Council of Public Expertise negotiated an agreement with the South Inter-Regional Department of MEDT for the monthly publication in newsprint of business entities scheduled for inspections. This printed schedule will include inspections by six bodies: the State Customs Committee, State Agency for Architecture and Construction, State Agency for Anti-Monopoly Policy and the Development of Competition, Department of State Sanitary and Epidemiological Oversight, State Fire and Rescue Service, and the Social Fund. The first schedule of business entities was prepared by the Council of Public Expertise and published on May 5, 2009, in the “Rec Park” newspaper. This change provides greater transparency to the execution of the Law “On Inspections” and fulfills its requirement for mandatory notification of scheduled inspections in advance of the PO’s assumption of registration duties. BEI plans to replicate this program in Jalal-Abad and Batken during the upcoming quarter. – **KR 08**

## UPCOMING EVENTS

- The next meeting of the Investment Council is scheduled for July, 2009, to discuss amendments to the KR Tax Code
- A meeting between the KR President and donor organizations is planned for the end of August, during which the President will outline the KR’s needs that require support from the donor community
- BEI/KR and representatives from the KR General Prosecutors office are planning a round table with their governmental counterparts in Astana to share experiences in inspections reform, on July 26-29, 2009

- The first meeting of the National Council for Public-Private Cooperation is planned to be organized with BEI assistance by July 22, 2009

## REPUBLIC OF TAJIKISTAN

### GENERAL

The USAID BEI Project in the Republic of Tajikistan made significant progress during the quarter, with several reforms either adopted or currently under consideration in Parliament. These include amendments to the Law “On Joint Stock Companies” that will improve the Doing Business Protecting Investors indicator, amendments to tax legislation to reduce the payment burden and improve administration, progress in the Government’s action-plan for improving construction processes, the new law “On State Registration of Legal Entities and Individual Entrepreneurs” that will improve business registration, and amendments to the Law “On Insolvency (bankruptcy).” BEI continued successful cooperation on WBDB-related reforms, and secured Government buy-in to address reforms at the highest level, as evidenced by the priority the President places on improvements and the Government’s support for implementation.

Work Plan Tasks April 2009 – June 2009 Quarter			Work Plan Tasks October 2008 - June 2009 Contract Year		
Total Planned	Completed	In Progress	Total Planned	Completed	In Progress
<b>39</b>	<b>24</b>	<b>15</b>	<b>112</b>	<b>97</b>	<b>15</b>
Percent completed <b>61.5%</b>		Variance <b>38.5%</b>	Percent completed <b>86.6%</b>		Variance <b>13.4%</b>

### TECHNICAL

- On April 15, 2009, in the President of the Republic of Tajikistan’s (RT) Annual Address to Parliament and Government he stressed the following socio-economic objectives in light of the financial and economic crisis:
  - secure macro-economic sustainability via monetary, credit, taxation, and budgetary policy reform;
  - develop economic sectors, including small and medium businesses;
  - provide favorable conditions to encourage foreign and domestic investment;
  - support the labor market and attract as many new jobs as possible;
  - implement measures to support society during the economic crisis; and,
  - accelerate tax rate revisions and improve protection of investors’ rights.
- On June 18, 2009, the 3rd session of the President’s Consultative Council on Improving the Investment Climate approved the “200 Days of Reform” program, developed with BEI. The plan includes: simplification of business registration, tax and custom reforms, simplification of licensing

and permits, credit issuance, insurance, and standardization and certification. The program was sent to the Government for approval, which is expected next quarter.

## WORLD BANK DOING BUSINESS ACTIVITY

### National Activities

- The Government of the Republic of Tajikistan (GoRT) completed implementation of its December 30, 2008, Plan of Action for Improving RT Rating in the WBDB Survey. On June 1, 2009, representatives from BEI, the State Committee on Investments and State Property Management (SCISPM), President's Consultative Council on Improving Investment Climate, IFC, and World Bank Tajikistan held a video conference with the WBDB team regarding RT's reforms for the DB 2010 Report. With BEI assistance, the GoRT informed the WB of reforms in Starting a Business, Getting Credit, Dealing with Construction Permits, Closing a Business, Paying Taxes, and Protecting Investors, for the DB 2010 report. BEI and the GoRT expect these communications to enhance accuracy of RT's reforms and to prepare the DB team for their July visit to RT. – **TJ 01, 02, 03, 04, 07, 10**
- On May 19, 2009, the President signed amendments to the Law "On Joint Stock Companies" developed by the Protecting Investors Working Group and BEI. The amendments took effect on May 21, 2009 and grant minority shareholders new rights, including:
  - to file suit against company officials,
  - to protect shareholders' interests in court, and
  - to require companies to disclose information in case of misconduct by company officials

These changes may improve the RT ranking in the Protecting Investors indicator from 150<sup>th</sup> place to within the top 60. Information on the improvements has been distributed to counterparts and to 40 participants of the Corporate Governance IFC seminar conducted on June 18 in Khujand. – **TJ 01**

- BEI continues to assist the Investment Committee in updating and finalizing its analysis of NLAs related to foreign investors for Government review. Investment Committee delays in finalizing the analysis may delay work plan item TJ 01.4.3, which is now expected to be completed during the next quarter. – **TJ 01**
- Following March 28, 2009 changes to the Tax Code, the GoRT suggested new amendments to tax legislation in response to the President's Annual Address. These amendments were signed by the President on May 19, 2009. They will:
  - Increase gross income limits for the simplified tax system from 600 to 800 thousand TJS;
  - decrease the profit tax rate from 25% to 15% for all sectors with the exception of transportation, communications services and banking, which remain at the 25% rate; and
  - decrease the Value-Added Tax rate from 20% to 18%.

BEI and the National Association of Small and Medium Business assisted members of the Lower Chamber of Parliament in drafting this Law "On Amendments and Additions to the Tax Code of the Republic of Tajikistan." Based on feedback from the DB Reform Team, these improvements are not expected to immediately impact WBDB indicators, but will significantly ease the tax burden on

#### SME's in Tajikistan. – TJ 02, 04

- BEI, the Agency for Construction and Architecture (ACA), SCISPM, and private-sector partners developed Government Regulation #282 adopted May 6, 2009, “On Improving the Administrative Procedures Dealing with Implementation of Construction Activity in RT and Plan of Improving Legal and Normative Acts in the Construction Area” requiring development of new standards by the ACA. The ACA has since issued Order #44 of June 9, 2009 establishing 16 new construction standards, which will be registered next quarter by the Ministry of Justice. – TJ 03
- On June 11, 2009, the GoRT adopted Regulation #338 "On Measures on Improving Legislation in the Construction Industry", requiring amendments to the Law “On Ecological Expertise”, Land Code, and Administrative Code. The regulation is part of the Government’s action plan for improving construction, and makes changes to the internal processes of the Agency for Construction and Architecture. BEI also drafted amendments to the Law "On Ecological Expertise" in April. The date of adoption of Regulation #338 delayed acceptance by the Government until the next session of Parliament. BEI now expects adoption of these amendments next project year, in October 2009, which delays work plan items TJ 03.3.6 - 03.3.11. – TJ 03
- On May 19, 2009, the President signed the new Law #508 “On State Registration of Legal Entities and Individual Entrepreneurs”, which takes effect July 1, 2009, that will:
  - streamline and simplify the business registration, by introducing a “one-stop-shop” to replace the four government entities previously involved in the process and reduce time for obtaining a taxpayer identification number;
  - introduce the concept of “silence is consent” during registration and declare the process to be technical rather than legal in nature; and,
  - eliminate the requirement that businesses set aside charter capital funds prior to registration, and instead permit such funds to be made available during the first year of operation.

The reduction in the initial charter capital requirement and the time for obtaining a taxpayer identification number from 10 to 3 days is expected to be included in the DB 2010 report and may improve RT ranking in Starting a Business from 168<sup>th</sup> to 150<sup>th</sup> place. In total, the changes are expected to reduce the time required for registration from 49 to 7 days and the number of documents required from 10 to 6, but will only be fully assessed in the DB 2011 report, next year. The later changes will also impact issues with re-registration and voluntary closure of a business. BEI expects harmonizing legislation to be adopted next quarter. – TJ 04, 05

- Though Parliament adjourned for its summer recess prior to considering the package of 16 amended laws and NLAs required for the “one-stop-shop” Government registration system, the Government already began one-stop-shop activity at the end of June. Parliament is now expected to consider and pass the amendment package next project year, after their recess, though some amendments to Government regulations will be adopted during the next quarter. This delays work plan items TJ 04.2.8 and 04.2.9 and TJ 05.1.4 and 05.1.5. – TJ 04, 05
- The adoption of the new Law “On State Registration of Legal Entities and Individual Entrepreneurs” also cancels requirements for notarization of founding documents, as it considers the establishment of a bank account to be a voluntary process. BEI expects amended implementing instructions from the National Bank of Tajikistan to be adopted during the next quarter. – TJ 04
- On May 19, 2009, the President signed amendments to the Law “On Insolvency (bankruptcy)” that were developed by BEI and the Trustees Association. The amendments include several reforms that will significantly improve bankruptcy procedures by:

- shortening the time-period required from 3 years to at most 2 years;
  - decreasing the cost for bankruptcy from 9% to 2% of the value of the estate; and
  - potentially increasing the recovery rate from 25.4 to 35 cents on the dollar as calculated by the WB. – **TJ 07**
- After adoption of the Law “On Credit Histories” on March 25, 2009, BEI and IFC began developing draft amendments to the Law “On Licensing of Separate Types of Activities” to incorporate licenses for credit bureaus. However the adoption of the new Laws “On National Bank” and “On Banking Activities” demanded additional changes to the draft amendments and postponed their adoption. IFC and the National Bank agreed to form a Working Group of deputies and bank representatives to update and promote amendments to the Law on Licensing. BEI expects this working group to be created next quarter, with submission of the draft amendments to the Government shortly thereafter. This delays work plan items TJ 10.2.4 and 10.2.5. – **TJ 10**

### **Sub-National Activities**

- On June 1, 2009, the ACA, BEI and the newly created Association of Builders of Tajikistan held a seminar on “Construction Activity in Tajikistan...Present and Future” for over 50 participants from Government, international organizations, and the private sector. The seminar introduced several official documents related to improving the construction industry in RT, and presented the new Association. The Association unites construction companies for the purpose of promoting reforms and developing the construction industry. – **TJ 03**
- BEI provided organizational development assistance to the Association of Builders of Tajikistan in the development of an annual forum for publicizing construction activity and reforms. – **TJ 03**

## **NON- WORLD BANK DOING BUSINESS ACTIVITY**

### **National Activities**

- The World Bank submitted to the SCIPSM its preliminary report, developed in close collaboration with BEI, on licensing of pharmaceutical and construction activities. BEI also submitted its related recommendations for licensing improvements to the SCISPM, including to:
  - change the practice of issuing agency permits (e.g. fire and sanitary inspections) for only 1 year when the activity license is for 5 years;
  - harmonize the classification of licensed construction activities with the Government Resolution on Licensing; and,
  - complete implementation of the streamlined processes, “one stop shop” principle regarding licensing.

The WB is expected to submit its final report next quarter, incorporating BEI suggestions. – **TJ 06**

- During a June 17 meeting between BEI, RTLC, SEZ “Sughd” administration, and the First Deputy of Minister of Economic Development and Trade Mr. Umed Davlatzod, the First Deputy affirmed continued support for SEZ-related reforms in RT and announced that the MEDT is updating NLA’s

with regard to SEZs in Tajikistan, and is creating an expert working group on SEZs with representatives from government structures. This group is expected to prepare all legal and normative acts by September 2009. The decision on the MEDT's development schedule delays completion of work plan items TJ 08.2.2 - 08.2.6. – **TJ 08**

- BEI, in response to a request by the SEZ “Sughd” administration to provide them with electronic versions of all NLAs regulating RT SEZs, developed and provided 50 copies of a CD with the NLAs in Russian, Tajik and English languages. This CD was developed for use by future investors in RT SEZs, and was distributed among potential investors during an International Economic Forum held in St. Petersburg, Russia, on June 4-6, 2009. – **TJ 08**
- As agreed with IFC and the Consultative Council, the introduction of RIA has been postponed until the completion of the “200 Days of Reforms” program. The GoRT decided to address RIA implementation following completion of the regulatory guillotine. This government decision delays work plan items TJ 09.2.6 and 09.2.7. – **TJ 09**

### **Sub-National Activities**

- BEI continues to support bi-weekly meetings of the Consultative Council of Business Associations and Public Unions with the SCISPM of Sughd region, and facilitates the monthly meetings of the 24 business support organizations that make up the Coordination Council of Business Associations and Public Unions of Tajikistan. As part of these meetings the SCISPM and Coordination Council jointly presented their results of work under their cooperation MOU and with the “200 Days of Reforms” program, and identified their joint strategy for private-sector reform activity through December 2009.
- On May 19, 2009, a meeting of the Consultative Council of Business Associations, Public Unions and the SCISPM of Sughd was held with the participation of US Ambassador Ms. Tracey Ann Jacobson and other representatives from USAID and the US Embassy. The meeting was productive and complimented by the new Head of Department of the SCISPM and the US Ambassador, who thanked USAID and BEI for contributing to public-private dialogue in the Sughd region.
- In May, BEI met separately to brief on reform activities and coordinate development work with the following notable people or organizations: Mr. Nagao Hiroshi, Special Attaché to the Japanese Embassy on private sector reform; Petra Geraldts of SENES, regarding development of the National Association of Agricultural Extension Providers; and the BEE Working Group, to support BEI partner the National Association of Dekhan Farms.

### **UPCOMING EVENTS**

- The next sessions of the Consultative Council of Business Associations and Public Unions of Sughd Oblast and the SCISPM are scheduled for July 14 and 28, August 11 and 25, and September 8 and 22, 2009
- The next WBDB Reform Team mission to Tajikistan is planned for June 29-July 4, 2009
- A series of seminars explaining the Law “On State Registration of Legal Entities and Individual Entrepreneurs” is planned for Dushanbe and Khatlon, Sughd, and GBAO regions in July, 2009

## WORK PLAN PROGRESS SUMMARY

	Responsibility	Potential Resource Utilization					2008 2009												Status
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	
<b>REPUBLIC OF KAZAKHSTAN</b>																			
<b>KZ 01: Reduce the Time and Cost of Starting a Business</b>																			
<b>1</b>	<b>Monitor and assist in implementation of regional changes to Law on State Registration of Legal Entities, according to Law #54-IV</b>																		
1	BEI	X					P												X
2	C, MoJ						P												X
3	BEI, MoJ																		X
4	BEI	X			X														X
<b>2</b>	<b>Further reform legislation governing registration of a legal entity</b>																		
1	BEI, C																		X
2	BEI, MoJ																		X
3	C, BEI																		X
4	BEI																		X
5	BEI, MoJ, PSP																		X
6	C																		X
7	BEI				X														X





	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
<p>notify the business community of changes</p> <p>17 Develop a plain-language guide and process map for the procedure of obtaining permitting documents, and publish online and through PSPs</p> <p>2 With PSPs, monitor results of changes after they are adopted</p> <p>1 Select and properly prepare PSP monitoring team as needed with BIP methodology</p> <p>2 Develop construction monitoring plan and survey questionnaire</p> <p>3 Facilitate GoK - World Bank information clarity on construction process</p> <p>1 For processes defined with incorrect information, facilitate clear publication of required process info by respective agencies</p> <p>2 Based on WB meeting with PM, WB and GoK harmonize process</p> <p>3 Monitor changes to WBDB process by WB in DB 2009 (2008 data) for further facilitation opportunities</p> <p>4 Develop and deploy Regulatory Impact Analysis training programs based on construction permitting in Kazakhstan</p> <p>In cooperation with construction committee identify target areas for RIA and Guillotine focus, and develop draft RIA training material and program for government agencies dealing with construction permitting on effective use of impact analysis based on international and KZ experiences</p> <p>1</p> <p>2 In cooperation with the construction committee identify target area and select 1 normative act or law for RIA</p> <p>3 Develop RIA sample based on identified section of construction permitting system in Kazakhstan</p> <p>4 Present sample RIA materials to Construction Committee</p>	PSP				X	P													O
	BEI																		X
	BEI, PSP																		O
	BEI, GoK					P												12	O
	GoK, WB					P													X
	BEI	X																	X
	BEI		X																X
	BEI			X															X
	Gov			X															X
	BEI			X															X
<b>KZ 03: Improve Credit Bureau Information, Access, and Data Quality (Getting Credit)</b>																			
1																			
	C, BEI				X	P													X
	BEI, Gov					P													X
	BEI																		X

	Responsibility	Potential Resource Utilization		2008 2009												Status				
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep	
4	group and Government partners Publish Getting Credit analysis and distribute through PSPs	BEI				X														X
5	Prepare analysis of best-practice country-reformers in WBDB Getting Credit Index with recommendations for KZ reforms, and present to WG and Government	BEI					P													X
6	Develop draft analysis of best-reformer practice in Getting Credit, with recommendations for KZ reform, and present to WG and Government	C, BEI			X															X
7	Based on feedback, revise report and recommendations and submit to WG and Government	C																		X
8	WG develops draft amendment package on the laws regulating lending, collateral, and bankruptcy with consideration given to recommendations and provisions of the draft Law on Protection of Data	WG																		X
9	With assistance from PSPs, review draft amendments in regional round-tables	BEI, PSP																		X
10	Organize and hold an open seminar on analysis and recommended amendments for PSPs, state bodies	BEI			X	X														X
11	Based on feedback from public and state bodies, revise amendments as needed and submit to Government for approval	WG																		X
12	Government approves draft amendment package for laws on lending, collateral, and bankruptcy, and submits to Parliament	Gov																		O
13	As needed conduct round tables and information sessions to shepherd amendments through Parliament	BEI, MIT, AFC																		II
2	<b>Implement reforms in legal acts supporting amendments to legislation affecting the Depth of Credit Information Index</b>																			
1	Develop a report with recommendations on NLAs requiring review based on passage of the draft amendments on loans, collateral, and bankruptcy	C																		X
2	Present report with recommendations on NLAs to Government and working group	C																		
3	Working group reviews NLAs affected by amendments on loans, collateral, and bankruptcy, and drafts amended NLA package and accompanying regulations	WG																		II
3	<b>Conduct an information campaign to support adoption of Getting Credit reforms</b>																			

	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
1	Publish a brief report on conducted analysis in mass-media	BEI				X													X
2	Prepare participating PSPs as needed for Getting Credit advocacy campaign	BEI	X																O
3	Plan and conduct Getting Credit media advocacy campaign for adoption of amendments	BEI, PSP	X			X												10	
4	In conjunction with WG participants, ministries, and PSPs, publish of analysis and articles on websites of business associations, Ministries, and media	BEI, PSP, Gov				X												3	O
5	Prepare participating PSPs as needed with BIP plain-language guide methodology	BEI	X																
4	Monitor the enforcement of legislation on lending, collateral, and bankruptcy, and the draft Law on protection of data																		
1	Prepare participating PSPs as needed with BIP monitoring and survey methodology	BEI	X																
<b>KZ 04: Reduce the Time and Cost of Registration of Real Property</b>																			
1	Analyze and introduce reforms to the new law "On registering rights for real estate and transactions"																		
1	With PSP assistance obtain public feedback on the draft recommendations and analysis, via roundtables and focus groups, and revise based on feedback	BEI, PSP	X																X
2	Organize an open seminar on the law "On Registering Rights", with participation of PSPs and state bodies, including presentation of final analysis	BEI, MoJ				X													X
3	Submit draft analysis and recommendations to Government	BEI																	X
4	Publish report and analysis and inform media and business associations	BEI				X													X
5	Government accepts recommendations	MoJ																	X
6	Jointly with partners, create an inter-branch WG with PSPs for legal and regulatory reforms in the procedure for registering real estate	BEI, MoJ				X													X
7	WG develops draft amendments to the law and an associated draft regulation, based on analysis recommendations and input from PSPs and state bodies	BEI, MoJ																	X
8	Based on PSP and state body feedback, revise and finalize draft proposals and amendments, and implementation plan, and submit to Government	BEI, MoJ																	X

	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
9	The Government adopts draft amendments and submits to Parliament, and accepts draft regulation	Gov																	X
2	<b>Develop and implement a media advocacy campaign to support reforms</b>																		
1	Develop concept, plan, and budget for the informational campaign	BEI, PSP	X																X
2	Conduct info-campaign on property registration and recommended improvements according to developed plan for print, radio, TV	BEI, MoJ				X													X
3	Develop concept, plan, and budget for second informational campaign																		X
4	Conduct second info-campaign on property registration and recommended improvements according to developed plan for print, radio, TV																		O
3	<b>Monitor implementation of changes to the process of Registration of Real Property and implementation by PSCs of the Law on Registering Real Estate</b>																		
1	Select and properly prepare PSP monitoring team as needed with BIP methodology	BEI	X																X
2	Monitor changes of Law on Registering Real Estate implementation in pilot research cities through visits, interviews	BEI	X																N
3	Based on monitoring results, draft analysis on implementation of standards and introduction of regulations for providing services in PSC	BEI, MoJ																	O
4	Arrange round table and present monitoring results to regional PSPs and local government	BEI, MoJ																	
5	Hold the Round Table on PSC operation in the Ministry of Justice with participation of the state bodies-providers of the state services	BEI, MoJ																	
<b>KZ 05: Improve Procedures for Voluntary Liquidation of Legal Entities</b>																			
1	<b>Improve legislation on liquidation of legal entities</b>																		
1	Conduct analysis of BIP international experience in WB-related liquidation of legal entity reform, with WBDB assessment process explanation	C				X													X
2	Presents analysis and recommendations based on WBDB process explanation and BIP international experience	C																	X
3	Government accepts analysis on WBDB BIP experiences in liquidation of a legal entity	Gov																	X
4	Organize and hold seminar for state bodies and Tax Committee on	BEI, Gov, C																	X









	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
1	Prepare presentation on international experience with RMS for government regulation of entrepreneurship	BEI																	X
2	Facilitate Government round table on RMS to encourage incorporation of system into Law	BEI, Gov				X													X
3	If needed, assist in creation of Government working group on RMS introduction	BEI																	X
4	Assist government bodies as needed in formulating criteria for RMS within their NLAs	BEI, Gov																	X
5	If GoK approves, develop Government module on RMS for the Law on "Government Control and Supervisory Activity"	BEI, WG, Gov																	X
6	Facilitate development of NLAs on RMS within each appropriate government body as needed	BEI, Gov																	O
<b>KZ 07: Improve Licensing and Permitting Systems</b>																			
1	<b>Develop and implement new Concept of Licensing</b>																		
1	Model Law on Licensing with associated new Concept of Licensing is adopted by Government and included in legal drafting work plan	Gov																	X
2	Establish working group to review NLAs governing the licensing and permitting system and to develop a new draft Law on Licensing	Gov, BEI																	X
3	Develop methodology and standards document for the review of NLAs on licensing, and present to WG	Gov, C																	X
4	Train WG on the "guillotine" method for optimization of permitting systems and structure, schedule, and indicators for assessing the quality of WG work	Gov, BEI, C																	X
5	WG develops draft amendments to the Law on Licensing and submits to Government	WG, C																	O
6	Government approves draft amendments and submits to parliament	Gov																	
7	Conduct national seminar for all stakeholders on the draft Law on Licenses, base Concept, and international experiences in this area, to prepare for parliamentary passage of the Law	Gov, BEI, C																	
2	<b>Conduct informational campaign to support adoption of the new Concept and Law on Licenses</b>																		
1	Form public-private information campaign steering committee with MEBP and PSP	BEI, PSP, MEBP	X																X
2	Prepare participating PSP as needed with BIP informational	BEI	X																D















	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
of legal entities																			
<b>KR 02: Improve Procedures for Construction Permitting and Oversight</b>																			
<b>1 Improve the process of issuance of construction permits</b>																			
1 Working group drafts improved construction resolutions regulating the procedure for issuance of permits	WG, BEI																		
2 Draft resolutions submitted to Government	WG																		
3 Government approves resolutions and submits draft laws to Parliament	Gov																		
4 Parliament passes the laws and President signs	Parl, Pres																		
5 Inform the business community about amendments in legislation adopted	BEI																		
6 Inform WB of changes	BEI	X																	
7 Respond as needed to WB requests and questions to clarify issue for future DB process assessment	BEI	X																	
<b>2 Introduce new procedures for issuance of construction permits</b>																			
1 Conduct pilot monitoring project on implementation of new procedures for issuance of construction permits, in Bishkek and Osh, Jalal-Abad, Kara-Suu, Nookat, Cholpon-Ata, Tokmok, and Kara-Balta cities, and develop analysis	C, Gov																		
2 Submit monitoring analysis to Government	C																		
3 Inform media and the business community about findings of the monitoring	BEI																		
<b>3 Improve the procedure for state architecture and construction oversight</b>																			
1 With working group, develop a draft resolution of Government "On Procedure for Conducting Oversight of Construction" aimed at improving the procedures of oversight utilizing best international experience	C, WG																		
2 Working group submits draft resolution to Government	WG																		
3 Government adopts the resolution on procedures for conducting oversight of construction	Gov																		
4 Inform the business community and media about reforms	BEI, Gov																		
5 Study international construction norms and rules and develop recommendations with PSPs in the area of building and structure safety	C, PSP																		
6 Develop Draft KR City Planning Code	WG, BEI																		

	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
<b>4 Improve procedures and rules pertaining to connection to utilities networks (electricity, water, sewerage, etc)</b>																			
1 Develop a draft resolution of Government regulating the uniform procedure for connecting to utility networks, according to regional specifics, in collaboration with USAID Local Governance Reform Project/Urban	WG, LGRP																		X
2 Working group submits draft resolution to Government	WG																		X
3 Government approves the resolution	Gov																		X
4 Inform media and the business community about the new procedures for utility connections	BEI, Gov					X													X
5 Inform WB of changes	BEI	X																	X
6 Respond as needed to WB requests and questions to clarify issue for future DB process assessment	BEI	X																	X
7 Develop draft amendments/NLAs improving anti-monopoly legislation with respect to enhancing responsibility of natural and permitted monopolies for rendering publicly significant services	C, WG																		X
8 Submit normative legal acts developed to Government for consideration	WG																		X
9 Government and Parliament approve and pass amendments to legislation Deadline is the 1 <sup>st</sup> of March, 2009	Gov																		X
10 Inform the media and business community about changes in the legislation	BEI, Gov					X													X
<b>5 Improve the structure of State Construction and Architecture Agency</b>																			
1 Develop a functional analysis of SACA and its structural divisions, with recommendations on improvements to its organization	C, Gov																		
2 Submit analysis and draft regulation on new SACA organizational structure to the Government	C																		
3 Government approves a resolution approving a new regulation of SACA and schemes of management thereof	Gov																		
4 Inform the media and business community about the new structure of SACA and its functions	BEI, Gov					X													
<b>6 Create and facilitate activities of the Construction Council of Kyrgyzstan</b>																			
1 Government passes the resolution creating Construction Council and approves operating regulation	Gov																		X
2 When Council becomes active, inform the media and business community about the creation of the Construction Council	BEI, Gov					X													

	Responsibility	Potential Resource Utilization		2008 2009												Status				
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep	
<b>7 Create and disseminate informational materials on issues of construction</b>																				
1 Develop the electronic databases on construction legislation for business associations and bodies of the SACA	C, Gov					X														X
2 Publish the electronic databases on construction legislation	SACA																			O
3 Provide technical assistance for developing automatic registration and account systems for applications and issuance of permitting documents on architectural designing and construction	BEI																			
<b>8 Improve the procedure for obtaining titles to land plots in Local Self Government bodies</b>																				
1 Create expert working group on simplification of procedures for obtaining titles to land plots	BEI, Gov, LGRP					X														
2 Prepare PSPs as needed for participation on working group and educate as needed on issues	BEI	X																		
3 Develop a draft resolution of Government "On Procedure for Issuance of Titles to Land Plots for Ownership or Rent" and submit to Government	WG																			
4 Submit the draft Resolution for approval to Government	WG																			
5 Government approves the resolution	Gov																			
6 Inform the media and business community about the decision adopted	BEI, Gov																			
7 Develop amendments in legislation and other normative legal acts simplifying the process of issuance of titles to land plots, and submit to Government	WG																			
8 Government approves the resolutions and submits to Parliament	Gov																			
9 Parliament passes the regulations	Parl																			
10 Inform the media and business community about amendments in the legislation signed into law	BEI, Gov																			
11 Inform WB of changes	BEI		X																	
12 Respond as needed to WB requests and questions to clarify issue for future DB process assessment	BEI		X																	II
<b>9 Monitor introduction of new procedures for issuance of titles to land plots</b>																				
1 Prepare PSPs with BIP monitoring methodology for new procedures for issuance of titles to land plots	BEI	X																		
2 With PSPs, launch a pilot project to monitor the introduction of new procedures for issuance of titles to land plots and develop	C, PSP	X																		II

	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media													
							Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
<b>analysis based on results</b>																			
<b>10 Improve legislation regulating land relations</b>																			
1 Create an expert working group on improvement of legislation regulating land relations, including USAID Local Governance Reform Project/Urban and Land Reform Project/Chemonics Together with USAID's Land Reform and Market Development project and Decentralization and Local Government Program,	BEI, Gov, LGRP, LRP																D		
2 develop a regulation on issues of buyout of land plots for state, public and municipal needs, and submit to Government	WG																X		
3 Government approves the resolutions	Gov																		
4 Inform the media and business community about amendments in legislation	BEI, Gov															10			
5 Develop a regulation of Government regulating issues of demolition of ramshackle, seismically unsafe and emergency-condition structures, and submit to Government	WG															10	X		
<b>KR 03: Reduce Time and Cost Required to Register Land and Real Estate Objects</b>																			
<b>1 Optimize (simplify) procedures for registration of titles to land plots and objects of real estate in the State Agency for Registration of Titles to Real Estate</b>																			
1 Assist upcoming WB project to develop draft amendments for NLAs regulating the registration of titles to real estate, aimed at reducing procedures, time, cost of services	WB, WG, MEDT																X		
2 Submit draft NLAs to Government	WG																X		
3 Government approves resolutions	Gov																X		
4 Parliament passes the laws and President signs if needed	Parl																X		
5 Inform the media and business community about amendments in legislation	BEI, Gov																X		
6 Inform WB of changes	BEI		X														X		
7 Respond as needed to WB requests and questions to clarify issue for future DB process assessment	BEI		X														X		
<b>KR 04: Reduce Time and Cost Required to Pay Taxes</b>																			
<b>1 Improve tax legislation</b>																			
1 Prepare PSP's with BIP methodology as needed and plan media campaigns to promote knowledge of the new version of the TC	BEI	X	X														X		
2 In collaboration with EREC, conduct a media campaign to promote	BEI, EREC,		X			X											X		



	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media													
							Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
<b>version of the TC</b>																			
1	Prepare PSPs as needed with BIP monitoring and survey methodologies to assess compliance with the new TC	BEI	X															X	
2	Develop TC compliance monitoring plan and conduct monitoring	BEI, PSP, MEDT	X															D	
3	Prepare a report on monitoring findings and submit it to Government	BEI, MEDT																D	
4	Inform media and public via round tables, press conferences, and articles on monitoring findings	BEI																	
5	If needed, draft normative legal acts of Government and President to address shortfalls in implementation of new TC and eliminating contradictions identified during TC implementation, and submit to Government	BEI																	
6	Government approves draft NLAs	Gov																	
7	Parliament and President approve NLAs as needed	Parl, Pres																	
8	Inform media and private sector on revised NLAs	BEI, Gov																	
<b>KR 05: Improve Protecting Investors Ranking</b>																			
1	<b>Improve legislation related to protection of investors (Track 1)</b>																		
1	Consult with WB and MEDT to identify outcomes of previous changes and negotiate new reforms if needed based on DB methodology, in accordance with the agreement between the WB and GoKR	BEI, Gov, WB																X	
2	Amend work plan as needed based on agreed reform tasks	BEI																X	
2	<b>Improve recognition of KR legislative changes related to protection of investors (Track 2)</b>																		
1	Negotiate inclusion of GoKR/BEI reform results in Protecting Investors area into DB 2010 surveys to ensure full accounting of changes	BEI, Gov, WB																X	
2	World Bank develops new survey for Protecting Investors KR that includes GoKR reforms, and provides to BEI and MEDT	WB																X	
3	BEI and MEDT distribute and facilitate responses to survey among a wide base of Government, businesses, and previous DB respondents	BEI, Gov																X	
4	DB Protecting Investor survey forms returned to WB for analysis	BEI, Gov																X	
5	WBDB team assesses forms and develops ratings for KR Protecting Investors	WB																O	
6	Facilitate audit and review visits as needed by WBDB team to KR,	BEI																O	





	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
5	public accounts of the effects and any violations of the law on collateral and bankruptcy Develop and disseminate brochures dedicated to the legislation and practice in the area of collateral and bankruptcy	BEI				X	P											C	O
6	Publish information in the media and on TV about the progress of implementation of the legislation in the area of collateral and bankruptcy	MEDT				X	P											C	O
<b>KR 07: Improve Licensing and Permitting Systems</b>																			
1	<b>Implement the Law "On Optimization of Normative Legal Framework for Regulation of Entrepreneurial Activities"</b> Facilitate pilot working groups to define agencies' standards and documentation formats and train on RIA	BEI					P												X
2	With MEDT, hold a seminar on procedures and terms of implementation of the Optimization Law and to educate working group as needed	BEI, MEDT					P												X
3	Conduct the 1 <sup>st</sup> stage of the optimization of NLAs (starting from the date of implementation of the 1 <sup>st</sup> stage of optimization with compliance to the Government Resolution)	WG			X														X
4	Working group prepares a Government resolution listing NLA's subject to repeal under the guillotine principle in case NLA's are not submitted with appropriate substantiation notes within the terms stipulated by the Optimization Law for Stage I	WG																	X
5	Working group submits normative legal acts with substantiation notes to the Inter-Agency Commission	WG																	X
6	Inform media and the business community about Government's decisions and results in Stage I	BEI, MEDT				X													X
7	With Inter-Agency Commission, conduct Stage 2 of the review of normative legal acts (review of substantiated NLAs and report to Government)	WG																	N
8	Submit Inter-Agency's reports on NLAs to Government for consideration pursuant to the Optimization Law	WG																	O
9	Government issues a decision on compliance or noncompliance of NLA's with the Optimization Law (Stage 3 of the review)	Gov																	
10	Inform media and the business community about Government's decisions and results in Stage 2	BEI, MEDT				X													



	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
11	Develop amendments to legislative acts (pursuant to Country Development Strategy) in order to improve legislation regulating state control (oversight) and other forms of inspections	BEI	X																X
12	Finalize and submit to Government draft amendments in appropriate normative legal acts regarding state control	Gov																	
13	Government approves draft amendments regarding state control and passes to Parliament	Gov																	
14	Parliament passes amendments in appropriate normative legal acts	Parl																10	
15	Prepare a study report on the impact the inspections moratorium in KR, to advocate for reforms	BEI, C	X																X
16	Present report with findings of the study to Government and Administration of President	BEI																	X
2	<b>Run Pilot Project 1: Streamlining of tax inspections</b>																		
1	Assist in the development and implementation of risk assessment procedures in the SCTC	BEI, SCTC																12	
2	Promote the development of regulations and guidelines for the conduct of tax inspections	BEI, PSP																	
3	Train regional SCTC staff on inspections procedures	BEI, SCTC																	
4	Monitor the conduct of tax inspections in KR regions for compliance	BEI, PSP																	
5	Develop and implement training plan for tax inspectors and businesses in the application of inspections legislation	BEI, C	X																X
6	Monitor and develop a study report on compliance with inspections legislation by the SCTC	BEI, C	X																O
7	Publish the study findings	BEI																	
8	Present study findings to regional administrations and public	BEI, PSP																12	
3	<b>Run Pilot Project 2: Streamlining of sanitary inspections</b>																		
1	Review sub normative acts of the Department of State Sanitary and Epidemiological Oversight (DSSEO) and develop a draft regulation for conducting sanitary inspections	BEI, C	X																X
2	Submit draft Regulation on Conducting Sanitary Inspections to the Government	BEI																	X
3	Ministry of Justice approves and registers the Regulation on Sanitary Inspections	MoJ																	X
4	Conduct a review of DSSEO with a compliance to article 22 of Constitutional Law of the Government of KR and introduce provisions of the inspections legislation into DSSEO operations	BEI	X																X



	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
		business associations																	
<b>KR 09: Improve the Legal Drafting Process and Legal Hierarchy</b>																			
<b>1 Improve legislation regulating the drafting and adoption of Normative Legal Acts (hereinafter - NLA's)</b>																			
1 Support the Inter-Agency Working Group to develop a new version of the Law "On Normative Legal Acts" (Law on NLAs), and submit to Government	BEI, WG																		X
2 Government approves the draft Law on NLA's and sends it to Parliament	Gov																		X
3 Parliament adopts the draft Law on NLAs and passes to President	Parl																		X
4 Conduct media campaign on new procedures for drafting and adoption of NLAs	BEI	X																	X
5 President signs the draft Law on NLAs	Pres																		X
6 Create and educate working group with PSP participation to develop draft normative legal acts aimed at introducing necessary amendments	BEI																		N
7 Draft amendments to legislative acts to eliminate contradictions with the Law on NLAs, and submit to Government	WG																		
8 Government approves package of draft normative legal acts and submits to Parliament	Gov																		
9 Create and educate working group with PSP participation to develop a new Order of Procedure (Reglament) of Government	BEI																		D
10 Develop a new Government Reglament and present to Government	WG																		D
11 Government and Parliament approve new Order of Procedure (Reglament) of Government and Parliament	Gov																		D
12 Inform the media and the business community	BEI																		D
<b>2 Introduce RIA (Regulatory Impact Analysis) into activities of state bodies</b>																			
1 Create working group on RIA principles guidance revision	BEI		X																X
2 Working group revises RIA guidance principles and submits to Government	WG		X																X
3 Government approves new RIA principles	Gov																		D
4 Promote use of RIA in practice of business associations as stakeholders in the legal drafting process via workshops and consultation to BA	BEI																		D
<b>3 Arrange public-private dialog on the improving of the drafting and</b>																			

	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	2008					2009							
							Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
<b>adoption of NLAs</b>																			
1	BEI														7	O			
2	BEI															D			
<b>Facilitate media campaign activities to encourage implementation of the legislation procedure for drafting and adoption of NLA's</b>																			
1	BEI					X										X			
2	BEI															D			
3	BEI																		
4	MoJ																		

**REPUBLIC OF TAJIKISTAN**

**TJ 01: Enhance Investor Protections and Improve the Legal Framework of Laws and Regulations Governing Activities of Foreign Investors**

<b>1 Develop amendments to the Law "On Joint Stock Companies" to improve investor protection</b>																
1	BEI	X														X
2	C, PCC															X
3	C, BEI															X
4	Gov															X
5	Parl															X





	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
5	assessment and promotion to public Assess campaign impact and revise plans for further public advocacy as needed in case If Government do not accept all recommendations	BEI, PSP																	
<b>TJ 03: Improve Procedures for Construction Permitting and Oversight</b>																			
1	<b>Complete analysis regarding licensing, certification and accreditation regime for businesses and experts in the construction process</b>																		
1	1 Conduct seminars with counterparts of the country to present the analysis, best practice and recommendations	BEI, C, PSP					X												X
2	<b>Present analysis, international best practice, and recommendations through a media campaign to increase demand for specific changes</b>																		
1	1 Prepare PSPs as needed and develop media campaign with PSPs	BEI, PSP	X																X
2	2 With trained PSPs, conduct media campaign on proposed changes	PSP	X																X
3	3 Assess campaign impact and conduct further advocacy as needed	BEI, PSP	X																X
3	<b>Simplify construction ecological expertise review procedure</b>																		
1	1 Conduct detailed analysis of ecological expertise	C																	X
2	2 Develops recommendations for RT ecological expertise procedures based on analysis and international best practices	C																	X
3	3 Conducts seminars presenting the analysis and best-practice recommendations to public and private representatives to advocate for changes	BEI, C, PSP																	X
4	4 Develop draft amendments for the Law "On Ecological Expertise" and submit to Government	C, BEI																	X
5	5 Government reviews draft amendments, experts revise as needed	Gov, C																	X
6	6 Government approves draft amendments, passes to Parliament, which adopts amendments	Gov																	D
7	7 Parliament adopts amendments and passes to President for signing	Parl																	D
8	8 President signs adopted amendments into law	Gov																	D
9	9 Inform WB of changes	BEI																	D
10	10 Respond as needed to WB requests and questions to clarify issue for future DB process assessment	BEI																	D
11	11 Properly prepared PSPs conduct information campaign based on adopted recommendations to celebrate success and inform public	PSP	X																D
4	<b>Improve construction legislation through assistance to Agency for Architecture and Construction of RT in permits area</b>																		



	Responsibility	Potential Resource Utilization		2008 2009												Status				
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep	
<b>14 Celebrate and inform media and public</b>	BEI					X														X
<b>Amend relevant laws in accordance with reform and implementation strategy to establish streamlined registration</b>																				
<b>1 Collaborate with international organizations and develop strategy for introduction of Streamlined Processes (SP)</b>	BEI, WB						P													X
<b>2 BEI and partners coordinate strategy with SCISPM within the framework of the Coordination Unit, revise as needed</b>	BEI, SCISPM						P													X
<b>3 In collaboration with other international organizations and PSPs, working group develops draft package on legal and normative acts on introduction of SP, and submits to Government</b>	BEI, PSP, WG					X	P													X
<b>4 Prepare and assist PSPs with BIP media/advocacy campaign methodology and facilitate cooperation with SP WG</b>	BEI, PSP	X					P													X
<b>5 In cooperation with WG, PSPs publish articles and develop TV programs supporting SP implementation</b>	PSP, BEI, C	X				X	P													X
<b>6 Working group revises draft amendment package as needed based on Government feedback, and resubmits</b>	WG																			X
<b>7 Government approves draft amendment package and submits to Parliament</b>	Gov																			X
<b>8 Parliament adopts amendment package implementing SP</b>	Parl																			D
<b>9 President signs amendments into law</b>	Pres																			D
<b>10 Inform WB of changes</b>	BEI		X																	
<b>11 Respond as needed to WB requests and questions to clarify issue for future DB process assessment</b>	BEI		X																	
<b>12 Provide follow-on support and consultations to PSPs and Working group as needed to increase their ability to build demand for effective implementation and on-going monitoring of government reforms</b>	BEI	X																		
<b>13 Inform media and celebrate success</b>	BEI, PSP																			
<b>TJ 05: Improve Clarity and Streamline Procedures for Re-registering or Closing a Business</b>																				
<b>1 Develop and introduce legal acts to harmonize the existing legal regime and to introduce reforms identified by previous research</b>																				
<b>1 Working group completes draft amendment package harmonizing existing legal regime and introducing reforms, and submits to Government for approval, in conjunction with business registration reform efforts</b>	WG						P													X

	Responsibility	Potential Resource Utilization		2008 2009												Status				
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep	
2	Government reviews draft amendment package, WG revises as needed, and resubmits	Gov, WG																		X
3	Government approves draft amendment package, submits package to Parliament	Gov																		X
4	Parliament passes amendment package, submits to President for signing	Parl																		D
5	President signs amendment package into law	Pres																		D
6	Inform WB of changes	BEI	X																	X
7	Respond as needed to WB requests and questions to clarify issue for future DB process assessment	BEI	X																	
2	<b>Conduct advocacy/media campaign with PSPs on re-registration and liquidation of businesses reforms</b>																			
1	Conduct closing a business reform media advocacy campaign according to plan	PSP				X														O
2	Based on adopted recommendations prepare PSPs as needed and conduct knowledge campaign to celebrate success and inform public	BEI, PSP	X			X														
3	Prepare PSPs as needed on BIP advocacy campaign impact assessment and public promotion	BEI	X																	
4	Assess campaign impact and revise plans for further public advocacy as needed	BEI, PSP	X																	
<b>TJ 06: Support Implementation of the Licensing Law and Regulations</b>																				
1	<b>Collaborate with the World Bank to support SCISPM in promoting pilot licensing reform</b>																			
1	With the SCISCPM and WB, complete a basic operational and functional review of the licensing bodies previously identified	BEI, SCISPM, WB																		X
2	Present operational review findings to the licensing bodies and the State Committee with recommendations	BEI, WB																		X
3	Prepare PSPs and SCISPM as needed with BIP media campaign methodology and develop information campaign plan	BEI	X																	X
4	Conduct media campaign with SCISPM to inform the public of the analysis and results and to create demand for implementation of legal and operational improvement recommendations	BEI, SCISPM, PSP																		
5	Prepare PSPs as needed on BIP necessary to promote and monitor adoption of reforms	BEI	X																	

	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
6	Monitor implementation of licensing reforms and develop associated report	PSP																	
7	Present monitoring report for SCISPM and WB	PSP, BEI				X													
8	With WB and PSPs, explore opportunities to replicate pilot program across other state licensing agencies	BEI	X																
<b>TJ 07: Reduce Time and Cost Required for Bankruptcy Procedures (Closing a Business)</b>																			
1	<b>In collaboration with the Trustees Association, recommend and promote reforms to improve the Law "On Bankruptcy"</b> Trustee Association, in collaboration with other PSPs, conducts advocacy/media campaign to promote changes in the existing legislation on bankruptcy	BEI, C, PSP				X													
2	<b>Draft Law on amendments to the Law "On Bankruptcy" and shepherd it through acceptance process</b> Trustee Association develops amendments to the Law "On Bankruptcy" based on Trustee Association's recommendations	C																	
1	Trustee Association with BEI support submits the draft Law through the SCISPM to Government for review	BEI, C																	
2	Government reviews, association revises draft Law as needed, and resubmits	Gov, C																	
3	Government accepts draft Law and submits to Parliament	PSP																	
4	As needed, assist Parliament in review of the draft Law, via hearings and round tables	BEI, PSP, C																	
5	Parliament passes Law and submits to President	Parl																	
6	President signs amendments to the Law "On Bankruptcy"	Pres																	
7	Inform WB of changes	BEI	X																
8	Respond as needed to WB requests and questions to clarify issue for future DB process assessment	BEI	X																
9	Update brochure in accordance with new amendments, and re-release to public	C																	
10	<b>Conduct advocacy media campaign to support adoption of bankruptcy law amendments</b> With PSPs plan comprehensive media/advocacy campaign to support adoption of the new Law "On Bankruptcy" and increase public knowledge	BEI, PSP	X																
1	Conduct "On Bankruptcy" media advocacy campaign according to	PSP																	

	Responsibility	Potential Resource Utilization					2008 2009												Status							
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep								
3	plan Based on adopted recommendations prepare PSPs as needed and conduct knowledge campaign to celebrate success and inform public	BEI, PSP	X			X																				
4	Prepare PSPs as needed on BIP advocacy campaign impact assessment and public promotion	BEI	X																							
<b>TJ 08: Support Government Implementation of Special Economic Zones</b>																										
1	<b>Developing recommendation to the draft Regulations on SEZ "Sogd"</b> Government reviews draft Regulation on SEZ "Sogd", the draft Regulation is revised as needed, and submitted for Parliament's consideration	Gov																								
1	Regulation is revised as needed, and submitted for Parliament's consideration	Parl																								
2	Parliament adopts draft Regulation on SEZ "Sogd"	BEI				X																				
3	Celebrate success and inform media and public																									
2	<b>Develop draft amendments to the Law on Special Economic Zones</b> WG develops draft amendments to the Law "On Special Economic Zones" based on legal analysis and send to Government for review	WG																								
2	Government reviews draft law on amendments, WG revises as needed, and resubmits	Gov, WG																								
3	Government accepts draft package and submits to Parliament	Gov																								
4	Parliament adopts draft amendment and sends to President	Parl																								
5	President signs amendments into law	Pres																								
6	Celebrate success and inform media	BEI																								
3	<b>Provide assistance to the creation of local SEZ administrations</b> Experts develop charter on SEZ administration based on international best practice and existing materials	C				X																				
2	Submit charter on SEZ administration and supporting materials to Government and oblast administrations	BEI, C					X	X																		
<b>TJ 09: Implement Impact Assessment and Improve Transparency in the Legislative Drafting Process</b>																										
1	<b>Develop and implement RIA Manual</b> Facilitate distribution and implementation of RIA manual to Government and private sector	BEI, PSP				X	X																			
2	<b>Facilitate adoption of RIA and legal drafting transparency legislation</b> Prepare participating PSPs as needed with BIP advocacy campaign methodology and develop campaign plan	BEI, PSP	X																							
2	Assist IFC to develop the President's Resolution on Guillotine and	BEI, PSP																								

	Responsibility	Potential Resource Utilization		2008 2009												Status			
		EB	OM	KS	STTA	Media	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		Jul	Aug	Sep
3	submit to PCC With PSPs, support adoption of President's Resolution on Guillotine in Tajikistan	BEI,PSP					■	■	■	■									X
4	PCC submits draft President's Resolution on Guillotine for President's review	PCC						■	■	■									X
5	President issues Resolution on Guillotine	Pres							■	■	■								X
6	Develop draft President's Resolution on introduction of RIA in the legislative drafting process and submit to Secretary of PCC	BEI,PCC									■	■	■						D
7	Secretary of PCC submits draft President's resolution for President's review and President issues Resolution on RIA											■	■						D
8	Based on issued resolution, working group develops a draft Government Regulation (on RIA methodology and the Guillotine)	SCISPM, PCC, BEI	X	X												■	■	■	
9	SCISPM sends the draft regulation to the Government for review	SCISPM																	
10	Government accept draft regulation of RIA methodology	Gov																	
11	Celebrate success and inform media	BEI, PSP				X												■	
<b>TJ I0: Improve Access to Credit (Getting Credit)</b>																			
1	Support development and approval of the law "On Credit Histories"																		
1	Develop recommended modifications to the draft Law "On Credit Histories"	C, BEI					■	■	■	■									X
2	In collaboration with IFC present modified draft to working group developing the Law "On Credit Histories" and create harmonized version	C, BEI					■	■	■	■									X
3	Submit draft law "On Credit Histories" to Government	C, BEI							■	■	■								X
4	Based on Government feedback, revise and complete draft Law "On Credit Histories" and resubmit final version to Government	C, BEI						■	■	■	■								X
5	Government reviews and approves draft Law "On Credit Histories" and submits to Parliament	Gov								■	■								X
6	Parliament reviews draft Law and adopts in first discussion	Parl									■	■							X
7	Support draft Law to the Public Council under the President and provides support as needed in developing of comments for Draft Law	PC, BEI										■	■						X
8	Parliament reviews and adopts draft Law and submits to President	Parl											■	■					X
9	President signs the Law "On Credit Histories"	Pres																■	X
2	Develop amendments to the law "On Licensing of Separate Types of Activities" and Regulation for the Law on Credit Histories					X													



## BEI 2008 – 2009 WORK PLAN TABLE OF ABBREVIATIONS

Within the BEI Work Plan abbreviations are used extensively to identify actors within the listed activities. The “Resource” column identifies the initials of BEI’s long-term expert Regional Technical Advisors: Ed Beaman (EB), Olga Moreva (OM), and Krassen Stanchev (KS). The “resp” (responsibility) column identifies the primary actors required to fulfill each activity (BEI, Government, specific ministry or agency, other counterpart, local consultant / expert / subcontractor, and etc.). The STTA column identifies use of international experts (short term).

Common abbreviations are:

**X** – Completed activity (Status)

**O** – Ongoing activity (Status)

**AFC** – Association of Financial Consultants (KZ)

**AIC** – Agency for Informatization and Connection (KZ)

**AkA** – Almaty akimat (KZ)

**AoT** – Association of Taxpayers (KZ)

**BA** – business associations

**BIP** - best international practice

**C** – contracted expert consultant (local or international, individual or company)

**CDS** – Country Development Strategy (KR)

**DB** - Doing Business

**DSSEO** – Department of State Sanitary and Epidemiological Oversight (KR)

**FEK** – Forum of Entrepreneurs of Kazakhstan

**GoK** – Government of Kazakhstan

**Gov** – Government (Office of the Government)

**KR** – Kyrgyz Republic

**KZ** – Kazakhstan

**LGRP** – USAID Local Governance Reform Project/Urban

**LRP** – USAID Land Reform Project/Chemomics

**LK** – Local Khukumat (RT)

**MEBP** – Ministry of Economy and Budget Planning

**MEDT** – Ministry of Economic Development and Trade (KR)

**MIT** – Ministry of Industry and Trade

**MoJ** – Ministry of Justice

**N** – Not-completed activity scheduled this period (Status)

**D** – Delayed activity in need of rescheduling (Status)

**NASMB** – National Association of Small and Medium Businesses (RT)

**NLA** – normative legal act

**NSC** – National Statistical Committee (KR)

**Parl** – Parliament

**PCC** – Presidents Consultative Council (RT)

**PO** – Prosecutor’s Office

**PM** – Prime Minister

**Pres** – President

**PSA** – public service announcement

**PSC** - public service center

**PSP** - private sector partner

**RIA** – Regulatory Impact Assessment

**RT** – Republic of Tajikistan

**SACA** – State Agency for Construction and Architecture (KR)

**SCISPM** – State Committee on Investment and State Property Management (RT)

**SCTC** – State Committee on Taxes and Charges (KR)

**SEZ** – Special Economic Zone (RT)

**SOW** – scope of work

**TC** – Tax Committee

**TOT** – training-of-trainers

**WB** - World Bank

**WG** – working group

## BEI PARTICIPANT TRAINING REPORT

### Training Program Data

Training Program Name:	Business Environment Improvement Project				
USAID Managing Activity (Funding Contract):	176-C-00-06-00007				
USAID Strategic Objective:	Strategic Objective 1.3, Improved Environment for the Growth of Small and Medium-sized Enterprises, and specifically Intermediate Result 1.3.3, Improved Implementation of Laws and Regulations				
Field of Study:	Business Legal and Regulatory Simplification/Reform				
Training Type:	Multiple				
Training Location:	Multiple				
Program Start Date:	10/01/2006				
Program End Date:	09/31/2010				
Program Status:	Ongoing				
Training Provider (Name, City, State, & Country):	Multiple				
Name of the Prime Contractor for the Activity.	Business Environment Improvement Project, implemented by the Pragma Corporation				
Street Address and country of the contractor.	17 Nauryzbai Batyr, Office 211, Almaty 050004, Kazakhstan				

### TRAINING COMPONENTS: If the Training Program has multiple events, Please list all components:

Component Name	Training Type	Training Provider (Name, City, State, & Country)	Start Date	End Date	Full-Time Equiv.
Training on administrative process maps methodology	Classroom	Samoilov A.G., Oskemen, Kazakhstan	15 April 2009	15 April 2009	1 hour
Presentation of the Round Table results on starting a business processes	Training presentation	Samoilov A.G., Oskemen, Kazakhstan	17 April 2009	17 April 2009	.5 hour
Presentation of analysis and recommendations on getting construction permits	Training presentation	Samoilov A.G., Oskemen, Kazakhstan	13 May 2009	13 May 2009	1 hour
Presentation of changes in registering property procedure	Training presentation	Samoilov A.G., Oskemen, Kazakhstan	15 May 2009	15 May 2009	1 hour
Presentation of the BEI Project activity in the area of	Training presentation	Shpuling T. and Krupochkina Y.,	10 April 2009	10 April	2 hours

the WB "Doing Business" registering property and starting a business indicators		Shymkent, Kazakhstan		2009	
Seminar on implementation of the Tax Code	Training Seminar	Aleeva R. and Kharchenko M. , Shymkent, Kazakhstan	27 March 2009	27 March 2009	2 hours
Seminar on implementation of the Tax Code	Training Seminar	Kumarbekov N. and Issakhan N. and Seysekova L. , Shymkent, Kazakhstan	03 April 2009	03 April 2009	2 hours
Seminar on implementation of the Tax Code	Training Seminar	Zhumabayev S. and Seysekova L. , Shymkent, Kazakhstan	10 April 2009	10 April 2009	2 hours
Seminar on implementation of the Tax Code	Training Seminar	Ussenov A. and Berdikulov R. and Butova N. , Shymkent, Kazakhstan	20 April 2009	20 April 2009	2 hours
Seminar on implementation of the Tax Code "Taxation of nonprofit organizations"	Training Seminar	Akbergenova Z. and Yussupova F.	06 May 2009	06 May 2009	2 hours
Seminar on implementation of the Tax Code "Fixed tax, tax accounts"	Training Seminar	Seysekova L. and Bekbayov S. and Tabyldiyev S.	15 May 2009	15 May 2009	2 hours
Seminar on implementation of the Tax Code "Individual income tax and social tax"	Training Seminar	Sametova G. and Nurzhanova M.	22 May 2009	22 May 2009	2 hours
Seminar on implementation of the Tax Code "Taxation and reporting for non-residents. Land tax, payment for use of land lots"	Training Seminar	Kharchenko M. and Urisbayeva Zh.	29 May 2009	29 May 2009	2 hours
Round Table on administrative barriers in opening a new shop procedure	Training presentation	Issa Mussayev, Almaty, Kazakhstan	28 May 2009	28 May 2009	2 hours
Workshops on the new law "On a state registration of legal entities, branches and representative offices" effective April 1, 2009	Training Seminar	BEI and MOJ of KR, Bishkek, Kyrgyz Republic	06 April 2009	06 April 2009	3 hours
Workshops on the new law "On a state registration of legal entities, branches and representative offices" effective April 1, 2009	Training Seminar	BEI and MOJ of KR, Karakol, Kyrgyz Republic	13 April 2009	13 April 2009	3 hours
Workshops on the new law "On a state registration of legal entities, branches and representative offices" effective April 1, 2009	Training Seminar	BEI and MOJ of KR, Naryn, Kyrgyz Republic	14 April 2009	14 April 2009	3 hours
Workshops on the new law "On a state registration of legal entities, branches and representative offices" effective April 1, 2009	Training Seminar	BEI and MOJ of KR, Talas, Kyrgyz Republic	16 April 2009	16 April 2009	3 hours
Workshops on the new law "On a state registration of legal entities, branches and representative offices" effective April 1, 2009	Training Seminar	BEI and MOJ of KR, Osh, Kyrgyz Republic	08 April 2009	08 April 2009	3 hours
Workshops on the new law "On a state registration of legal entities, branches and representative offices" effective April 1, 2009	Training Seminar	BEI and MOJ of KR, Jalal-Abad, Kyrgyz Republic	09 April 2009	09 April 2009	3 hours

WB Doing Business Phase II	Training Seminar	MERT, Bishkek, Kyrgyz Republic	5/19/2009	5/20/2009	2 hours
Prompt Legal Lobbying Service	Training presentation	MERT, Bishkek	6/10/2009	6/10/2009	1 hour
"Construction activity in Tajikistan. Present and Future"	Training Seminar	BEI, Dushanbe, Republic of Tajikistan	6/11/2009	6/11/2009	4 hours

<b>FUNDING DATA: (Line-1: Amount Budgeted; Line-2: Amount Spent)</b>											
USAID			Host Country Government			Provider			Private		
Instruction	Trainee	Travel	Instruction	Trainee	Travel	Instructor	Trainee	Travel	Instruction	Trainee	Travel
<i>(All trainings not listed below have no separate, budgeted cost elements, and were provided as part of other work.)</i>											
\$0			\$0			\$0			\$0		
\$0			\$0			\$0			\$0		
Regional workshops on the new law "On a state registration of legal entities, branches and representative offices" for Bishkek, Karakol, Naryn, Talas, Osh, Jalal-Abad											
\$1000											
\$1000											
WB Doing Business Phase II											
\$127.75											
\$127.75											
Prompt Legal Lobbying Service											
\$14.70											
\$14.70											
"Construction activity in Tajikistan. Present and Future"											
\$597.40											
\$597.40											

<b>For In-Country Programs Only</b>	
# of Males Attended	# of Females Attended
180	172

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