

(Unofficial translation)

LAW OF THE REPUBLIC OF BELARUS

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On Principles of Administrative Procedures

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Law of the Republic of Belarus No. 277-3 dated June 4, 2015 (National Legal Internet Portal of the Republic of Belarus, 11.06.2015, 2/2275);

Law of the Republic of Belarus No. 17-3 dated January 9, 2017 (National Legal Internet Portal of the Republic of Belarus, 14.01.2017, 2/2455);

Law of the Republic of Belarus No. 213-3 dated October 14, 2022 (National Legal Internet Portal of the Republic of Belarus, 20.10.2022, 2/2933);

Law of the Republic of Belarus No. 225-3 dated December 12, 2022 (National Legal Internet Portal of the Republic of Belarus, 15.12.2022, 2/2945)

SECTION I

GENERAL PROVISIONS

CHAPTER 1

MAIN PROVISIONS

Article 1. Main Terms Used in This Law, and Their Definitions

1. Administrative procedure is the actions of the authorized body made on the grounds of the application of the person concerned, for the establishment (grant, attestation, confirmation, registration, provision), alteration, suspension, preservation, transfer or termination of rights and (or) obligations, including the ones resulted in the issue of the certificate or other document (adoption, agreement, approval thereof) (hereinafter - the issue of the certificate or other document) or in the registration or recording of the person concerned, its property, or in assignment of monetary funds, other property and (or) services out of the funds of the national or local budgets, governmental extra-budgetary funds, out of the property in the national or communal ownership.

2. Authorized body is a governmental body, other organization, as well as inter-departmental and other commissions which competence includes the implementation of the administrative procedure.

3. Person concerned is a citizen of the Republic of Belarus, foreign citizen or stateless person, including an individual entrepreneur (unless otherwise defined, hereinafter - a citizen) or legal entity of the Republic of Belarus, other organization (hereinafter - a legal entity) which has applied (applying) for the implementation of the administrative procedure.

3¹. Third person is a citizen or legal entity, other than a person concerned, which involvement in the implementation of the administrative procedure is stipulated by legal acts and which rights and (or) obligations are affected by an administrative decision.

4. Application of the person concerned is a written, oral or electronic application of the person concerned to the authorized body for the implementation of the administrative procedure.

5. Administrative decision is a decision of the authorized body taken after the consideration of the application of the person concerned.

6. Administrative complaint is a complaint about the taken administrative decision, filed in the administrative (extrajudicial) order.

7. Common portal of electronic services is the subsystem of the national automated information system intended for provision of the electronic interaction of governmental bodies and organizations with other organizations, as well as with citizens, which is a common point of submission (recall) of applications for the implementation of administrative procedures, receipt of administrative decisions (notices of administrative decisions taken) and submission (recall) of electronic administrative complaints.

8. Complex and multistage administrative procedure is an administrative procedure consisting of several independent steps in which a person concerned is involved (contract conclusion, receipt of opinions and agreements included in the lists of the documents and (or) data to be submitted by persons concerned to authorized bodies for the implementation of administrative procedures (hereinafter - the lists of the documents and (or) data to be submitted by persons concerned), acceptance of facilities for operation, etc.).

Article 2. Scope of This Law

1. This Law applies to the relations arising out of the implementation of administrative procedure, excluding:

the relations regulated by the legislation for constitutional court proceedings, civil procedure legislation, economic procedure legislation, criminal procedure legislation, criminal executive legislation, legislation specifying the administrative process order, executive proceeding legislation, legislation for investigation and search operations;

the relations regulated by the legislation on election system and referendum, on law-making activities, on the order of exercise of the legislative initiative right by citizens of the Republic of Belarus;

the relations regulated by the civil legislation concerning contractual and other obligations, budget legislation, banking legislation, legislation on economic insolvency (bankruptcy), other than the cases stipulated by legislative acts and resolutions of the Council of Ministers of the Republic of Belarus;

the arrangement and carrying out of audits by controlling (supervisory) bodies (including tax audits); notarial activities;

the relations associated with the award of pensions;

the relations in the sphere of education, labour and associated relations, admission to, being in and ceasing the civil, alternative and military service, the service in the bodies of internal affairs, the Investigative Committee of the Republic of Belarus, State Forensic Examination Committee of the Republic of Belarus, bodies and units of emergency situations, financial investigative bodies of the State Control Committee of the Republic of Belarus, other than the cases stipulated by legislative acts and resolutions of the Council of Ministers of the Republic of Belarus;

the relations associated with the inclusion in and exclusion from the register of employers' associations;

the relations associated with the conferment of academic degrees and award of academic ranks, deprivation (renewal) thereof, nostrification (equating) of the documents conferring academic degrees and awarding academic ranks, re-attestation of the persons which were conferred academic degrees and awarded with academic ranks in the foreign states;

the relations associated with the allocation of welfare benefits, other social support measures for the population in accordance with decisions of the regional, Minsk city, district, city (cities of regional subordination) soviets of deputies, of the regional, Minsk city, district, city (cities of regional subordination) executive committees;

the relations associated with state purchases, as well as granting of rights, property and (or) services provided by means of tenders or auctions;

the relations associated with granting of tax, due (duty) preferences, alteration of the statutory due date for taxes, dues (duties), fines, excluding the taxes, dues (duties) charged by customs bodies, for legal entities and individual entrepreneurs, as well as associated with rendering the governmental assistance, including the governmental financial support, to legal entities and individual entrepreneurs.

the relations associated with the registration of the foreign gratuitous aid.

2. The legislation on applications of citizens and legal entities does not apply to the relations associated with the consideration of applications of persons concerned and administrative complaints.

3. This Law applies to the foreign citizens and stateless persons who stay temporarily, are temporary residents and residents of the Republic of Belarus, have applied (applying) for the implementation of administrative procedures to the authorized bodies situated in the Republic of Belarus, unless otherwise stated by legislative acts and international treaties of the Republic of Belarus.

Article 3. Legal Regulation of Relations Arising in the Implementation of Administrative Procedures

1. The legislation on administrative procedures is based on the Constitution of the Republic of Belarus and consists of this Law and other legislative acts.

2. The legislative acts, resolutions of the Council of Ministers of the Republic of Belarus shall define:

names of administrative procedures;

authorized bodies;

comprehensive lists of the documents and (or) data to be submitted by persons concerned;

times for the implementation of administrative procedures;

period of validity of certificates and other documents issued in the course of the implementation of administrative procedures;

size of the fee to be charged with the implementation of administrative procedures, or the order for the determination of such fee.

The legislative acts shall approve the lists of administrative procedures to be implemented by authorized bodies in relation to citizens (excluding individual entrepreneurs). The legislative acts and resolutions of the Council of Ministers of the Republic of Belarus shall approve the lists of

administrative procedures to be implemented by authorized bodies in relation to legal entities and individual entrepreneurs.

The Council of Ministers of the Republic of Belarus shall approve the list of the complex and multistage administrative procedures to be implemented by authorized bodies in relation to citizens (excluding individual entrepreneurs).

3. It is not permitted to regulate the matters stated in the second-seventh paragraphs of the first part of clause 2 of this article by the normative legal acts, other than stated in the first paragraph of the first part of clause 2 of this article.

4. The Council of Ministers of the Republic of Belarus is prohibited from delegating the authorities for the adoption (issue) of the normative legal acts regulating the matters stated in the second-seventh paragraphs of the first part of clause 2 of this article, to other governmental bodies, other governmental organizations.

5. In the course of the preparation of normative legal acts the relevance of the inclusion of the norms containing additional administrative procedures or complicating the existing procedures, shall be assessed.

5¹. If legislative acts in the field of licensing establish rules other than those contained in this Law, the norms of the legislative act in the field of licensing shall apply.

6. If the international treaty of the Republic of Belarus establishes the rules, other than the rules contained in this Law, the rules of the international treaty shall apply.

Article 4. Main Principles of Implementation of Administrative Procedures

The main principles of the implementation of administrative procedures are:

lawfulness - the implementation of administrative procedures by the authorized body within its competence and in accordance with the requirements stated by the legislation on administrative procedures;

equality of persons concerned before the law - in the course of the implementation of administrative procedures citizens are equal before the law irrespective of gender, race, nationality, language, origin, property and official status, place of residence (stay), attitude to religion, beliefs, membership in political parties and other public associations, and for a legal entity - irrespective of a business form, form of property and place of location;

priority of interests of persons concerned - in case of an ambiguity or indefiniteness of directions of a legal act, administrative decisions shall be made by authorized bodies on the assumption of the maximal regard for interest of persons concerned;

openness of an administrative procedure - affording the opportunity for a person concerned to familiarize oneself with the materials associated with the consideration of its application and to participate in the consideration of such application personally and (or) through its representatives;

efficiency of an administrative procedure - the implementation of an administrative procedure as soon as possible, with submission of the minimal number of the documents and (or) data for the implementation of an administrative procedure, by a person concerned to an authorized body;

territorial accessibility of an administrative procedure - the implementation of an administrative procedure by an authorized body at the territorial level closest to a person concerned;

one-window application principle - filing an application by a person concerned to one authorized body with enclosure of the documents and (or) data necessary for the implementation of an administrative procedure and which can be submitted by a person concerned only;

cooperation during the implementation of administrative procedures - the coordination of authorized bodies with other governmental bodies, other organizations during the implementation of administrative procedures by means of requesting and receipt of the documents and (or) data necessary for the implementation of administrative procedures, as well as in other forms.

Article 5. Jurisdiction of Administrative Procedures

1. Administrative procedures shall be implemented by an authorized body according to the place of residence (place of stay, when the registration in the place of stay is mandatory) - for citizens or according to the place of location - for legal entities, except for the administrative procedures stated in the second part of this clause.

The administrative procedures in relation to the real estate shall be implemented by the authorized body according to the place of location of the real estate.

The legislative acts and resolutions of the Council of Ministers of the Republic of Belarus may establish other rules of the jurisdiction of administrative procedures.

2. The legislation on administrative procedures may delegate the authorities for the acceptance, preparation for the consideration of applications of persons concerned and (or) issue of administrative decisions taken by authorized bodies, as well as for making of the administrative decisions on refusal of acceptance of applications of persons concerned, to other governmental bodies, other organizations.

Article 6. Reception of Persons Concerned

1. The reception of persons concerned shall be organized with authorized bodies.

2. The schedule of the reception of persons concerned shall be defined by the head of the authorized body on the basis of the requirements of this Law, labour legislation, other legislative acts, with the account of the number and specific character of applications of persons concerned, administrative procedures to be implemented, other circumstances, and shall ensure the reception of persons concerned in the time convenient for them.

3. The reception of persons concerned shall be arranged in the authorized body in order of precedence. By decision of the head of the authorized body, if necessary, persons concerned may be pre-recorded for such reception.

4. It is prohibited to cancel the reception of persons concerned by reason of a temporary absence of the employee of the authorized body carrying out the reception.

The head of the authorized body shall ensure the prompt and proper performance of the functions of the temporary absent employee of the authorized body carrying out the reception of persons concerned, by other employee of such body.

5. In order to ensure the one-point reception of applications of persons concerned, which are submitted to local executive and regulatory bodies (their structural units) and subordinate organizations, the "one-window" services shall be established in local executive and regulatory bodies of the basic territorial level, as well as in district administrations in cities. The order of establishment and operation of the "one-window" services shall be stipulated by the legislation.

Article 7. Informing of Persons Concerned

1. The information shall be placed in the authorized body in the accessible place (on information stands, panels and (or) otherwise), as well as in official sites of the authorized bodies or in respective pages of official sites of superior governmental bodies (superior organizations) in the Internet global computer network, except for the information which dissemination and (or) disclosure are limited in accordance with legislative acts:

on the structure of the authorized body, its head and deputy heads;

on the operation schedule of the authorized body and the schedule of the reception of persons concerned;

on names of the administrative procedures to be implemented by the authorized body;

on lists of the documents and (or) data to be submitted by persons concerned, and if necessary - on the order of filling-in and submission thereof by persons concerned;

on lists of the documents and (or) data requested by the authorized body itself and necessary for the implementation of the administrative procedure and not included in the lists of the documents and (or) data to be submitted by persons concerned;

on times for the implementation of administrative procedures, validity periods of certificates or other documents issued with the implementation of administrative procedures, as well as on the size of the fee to be charged with the implementation of administrative procedures or the order of the fee determination;

on the order of submission of the application for the implementation of administrative procedures electronically;

on the place of location, official telephone number, surname, name, patronymic (if any), position of the employee of the authorized body who performs the reception of persons concerned;

on the name, place of location and operation schedule of the superior governmental body (superior organization).

2. The information about the position, surname, name, patronymic (if any) of the employee of the authorized body who performs the reception of persons concerned, shall be stated on the information tables to be placed at the entrance to the room where the reception of persons concerned is performed, or on the garments of the employee who performs the reception of persons concerned.

3. By decision of the head of the authorized body, the reference and information, and (or) consultation services or the employees, liable for the reference and information servicing or preliminary consultation of persons concerned, may be appointed in such body.

Article 8. Representation in Administrative Procedure

1. A person concerned may participate in the implementation of an administrative procedure personally and (or) through its representatives, unless otherwise stated by legislative acts.

The personal participation of a person concerned in the implementation of an administrative procedure shall not deprive it of the right to have representatives, as well as the participation of representatives shall not deprive a person concerned of the right for the personal participation in the implementation of such procedure, unless otherwise stated by legislative acts.

2. The citizens with the legal capacity in full or legal entities may be representatives of a person concerned.

The employees of the authorized body the person concerned applies to for the implementation of an administrative procedure may not be representatives of the person concerned, except for the employees of the authorized body who are legal representatives of the person concerned.

3. In the course of the implementation of an administrative procedure the representatives of the person concerned may perform the actions which performance the person concerned is entitled to, within their powers granted.

4. A legal entity shall participate in the implementation of an administrative procedure through its bodies or its representatives.

5. The representatives of a person concerned shall exercise their powers on the grounds of the legislative act or the act of the governmental body authorized duly, or by the power of attorney made under the order established by the civil legislation.

CHAPTER 2

COMPETENCE OF AUTHORIZED BODIES. RIGHTS AND OBLIGATIONS OF PERSONS CONCERNED AND THIRD PERSONS

Article 9. Competence of Authorized Bodies

In the course of the implementation of administrative procedures, the authorized bodies shall:

ensure the benevolent, polite and careful attitude of the employees of the authorized body to persons concerned and third persons;

ensure the prompt and proper execution of the functions of temporary absent employees of authorized bodies who performs the reception of persons concerned, by other employees of such bodies;

explain, to persons concerned, the obligation of authorized bodies to request on its own the documents and (or) data necessary for the implementation of administrative procedures, except for the ones included in the lists of the documents and (or) data to be submitted by persons concerned, as well as the rights and obligations of persons concerned;

provide, free of charge, persons concerned with the forms (blanks) of the documents necessary for application for the implementation of administrative procedures, as stated by the legislation on administrative procedures, and explain the order of filling-in and submission thereof;

request the documents and (or) data necessary for the implementation of administrative procedures, from other governmental bodies;

afford to persons concerned an opportunity to familiarize themselves with the materials related to the consideration of their applications, and to third persons - an opportunity to familiarize themselves with the materials related to the administrative procedures which implementation they participate (have participated) in, including the documents and (or) data necessary for the implementation of administrative procedures, received by authorized bodies from other governmental bodies, other organizations; make extracts from such documents, unless otherwise stated by the legislation on state secrets, commercial or other secret protected by law;

notify persons concerned about the administrative decisions taken;

explain the order and times for the appeal against the administrative decisions taken, to persons concerned;

exercise other powers stipulated by this Law and other legislative acts on administrative procedures.

Article 10. Rights of Persons Concerned

Persons concerned shall have the right:

to file applications to authorized bodies;

to obtain, free of charge, the forms (blanks) of the documents necessary for application for the implementation of administrative procedures, as stated by the legislation on administrative procedures, from authorized bodies;

to be given an explanation of the rights and obligations by authorized bodies;

to participate in the implementation of administrative procedures personally and (or) through their representatives, unless otherwise stated by legislative acts;

to familiarize themselves with the materials related to the consideration of their applications, including the documents and (or) data necessary for the implementation of administrative procedures, received by authorized bodies from other governmental bodies, other organizations; to make extracts from such documents, unless otherwise stated by the legislation on state secrets, commercial or other secret protected by law;

to receive administrative decisions (copies thereof, extracts thereof);

to recall their application at any time before the completion of the implementation of an administrative procedure;

to appeal against the administrative decisions taken;

to recall their administrative complaint;

to exercise other rights stipulated by this Law and other legislative acts on administrative procedures.

Article 11. Obligations of Persons Concerned

Persons concerned shall:

treat politely the employees of authorized bodies, avoid obscene or insulting words or expressions in relation to such employees;

submit to authorized bodies the documents and (or) data included in the lists of the documents and (or) data to be submitted by persons concerned, as well as the documents stated in the second-seventh paragraphs of the first part of clause 2 of article 15 of this Law, if such documents are requested for;

pay the fee charged with the implementation of administrative procedures;

inform promptly authorized bodies about changes in the place of residence (place of stay), place of location during the implementation of an administrative procedure;

perform other obligations stipulated by this Law and other legislative acts on administrative procedures.

Article 11¹. Rights and Obligations of Third Persons

1. Third persons shall have the right:

to be given an explanation of the rights and obligations by authorized bodies;

to familiarize themselves with the materials related to the administrative procedures which implementation they participate (have participated) in, including the documents and (or) data necessary for the implementation of administrative procedures, received by authorized bodies from other governmental bodies, other organizations; make extracts from such documents, unless otherwise stated by the legislation on state secrets, commercial or other secret protected by law;

to recall their consent (including the one expressed by means of the signature on the application of a person concerned) for the implementation of an administrative procedure at any time before the completion of the implementation of the administrative procedure;

to appeal against the administrative decisions taken;

to recall their administrative complaint;

to exercise other rights stipulated by this Law and other legislative acts on administrative procedures.

2. Third persons shall:

treat politely the employees of authorized bodies, avoid obscene or insulting words or expressions in relation to such employees;

perform other obligations stipulated by this Law and other legislative acts on administrative procedures.

CHAPTER 3

TIMES FOR IMPLEMENTATION OF ADMINISTRATIVE PROCEDURES. FEE TO BE CHARGED WITH IMPLEMENTATION OF ADMINISTRATIVE PROCEDURES

Article 12. Times for Implementation of Administrative Procedures and Order of Their Estimate

1. The times for the implementation of administrative procedures shall be determined by the calendar date, expiration of the period calculated in years, months, weeks or days, as well as the reference to the event, which should occur inevitably.

The course of the time calculated in years, months, weeks or days, shall start on the day next to the performance of the action or occurrence of the event which defines its start, except for the times of the administrative procedures subject to the implementation on the day of application of a person concerned or being implemented on the day of application of a person concerned on the initiative of the authorized body, as well as other cases stipulated by the legislative acts.

The time calculated in years shall expire in the respective month and on the respective date of the last year of the time.

The time calculated in months shall expire on the respective date of the last month of the time. If the end of the time calculated in months, falls on the month without the respective date, the time shall expire on the last date of such month.

The time calculated in weeks shall expire on the respective date of the last week of the time.

Unless otherwise stated, the time stated in days shall be calculated in calendar days.

If the last day of the time falls on a non-business day, the date of the time expiration shall be the first business day next to that day.

2. An administrative procedure shall be implemented within the time limit determined on the basis of the time necessary for obtaining and processing of all documents and (or) data necessary for the implementation of an administrative procedure.

The time for the implementation of an administrative procedure may not exceed fifteen days, and in case of filing a request by the authorized body to other governmental bodies, other organizations - one month, unless other time is stipulated by the legislative acts, resolutions of the Council of Ministers of the Republic of Belarus.

If the authorized body files a request with the competent body of a foreign state for the provision of the documents and (or) data which are necessary for the implementation of an administrative procedure and cannot be obtained otherwise, the time for the implementation of the administrative procedure shall be suspended from the day of filing the request till the day of receipt of the documents and (or) data requested, and in the case specified in the fourth part of clause 6 of article 15 of this Law - till the day of submission of respective documents and (or) data by a person concerned. The legislative acts may specify other cases when the times for the implementation of administrative procedure shall be suspended.

3. The date of the completion of the implementation of an administrative procedure shall be the day when the administrative decision is taken.

Article 13. Fee to be Charged with Implementation of Administrative Procedures

1. The fee to be charged during the implementation of administrative procedures is:

dues (duties) to be paid by persons concerned;

the fee for the services (works) provided in the course of the implementation of administrative procedures, paid by persons concerned to the authorized bodies, other governmental bodies, other organizations.

2. If the fee as a due (duty) is charged with the implementation of administrative procedures, its size shall be stated in the legislative acts specified in the first paragraph of the first part of clause 2 of article 3 of this Law, adjusted for the rates of such payments established by the tax legislation.

3. The size of the fee for the services (works) provided in the course of the implementation of administrative procedures may not exceed the economically feasible expenses related to the implementation of administrative procedures.

The order of the estimate of the economic feasibility of the expenses related to the implementation of administrative procedures, as well as the order of repayment of the fee for the services (works) provided in the course of the implementation of administrative procedures, shall be determined by the Council of Ministers of the Republic of Belarus.

SECTION II

CONSIDERATION OF APPLICATION OF PERSON CONCERNED

CHAPTER 4

SUBMISSION, REFUSAL TO ACCEPT AND RECALL OF APPLICATION OF PERSON CONCERNED

Article 14. Application of Person Concerned

1. The application of a person concerned shall be submitted in the Belorussian and (or) Russian languages.

2. The application of a person concerned shall be submitted in writing, except for the cases when oral applications may be submitted according to the legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

The legislative acts and resolutions of the Council of Ministers of the Republic of Belarus may permit to submit the application of a person concerned electronically, along with the submission of such application in writing or orally.

3. The oral application of a person concerned shall be submitted in the course of the reception of the person concerned.

4. The written application of a person concerned shall be submitted to the authorized body:

in the course of the reception of the person concerned;

by special delivery (courier), by post, if the personal attendance of a person concerned is not required in accordance with the legislation on administrative procedures.

5. If the legislation on administrative procedures does not specify the data, which should be presented in the written application of a person concerned, such application shall contain:

the name of the authorized body the application is submitted to;

the data of the person concerned:

the surname, name, patronymic (if any), place of residence (place of stay) - for a citizen who is not an individual entrepreneur;

the surname, name, patronymic (if any), place of residence, registration number in the Common State Register of Legal Entities and Individual Entrepreneurs, name of the governmental body, other governmental organization which has performed the state registration - for an individual entrepreneur;

name and place of location, registration number in the Common State Register of Legal Entities and Individual Entrepreneurs, name of the governmental body, other governmental organization which has performed the state registration - for a legal entity;

the name of the administrative procedure the person concerned applies for;

the list of the documents and (or) data (if available) which are submitted together with the application of the person concerned;

the information on payment of the fee to be charged with the implementation of administrative procedures, by means of the automated information system of the common settlement and information space (reference number of the operation (transaction) in the common settlement and information space or the record of the payment made, if such number is not required for the confirmation of the actual payment) - in the case of payment with the use of such system;

the signature of a citizen or signature of the head of the legal entity or the person properly authorized to sign the application, or signature of the representative of the person concerned.

For certain administrative procedures, the standard forms (blanks) of applications of persons concerned may be provided for by the legislation on administrative procedures.

6. The electronic application of a person concerned shall be submitted through the common portal of electronic services upon receipt of the access thereto:

without use of the identification means stated in the third and fourth paragraphs of this part;

with the use of the unique identifier of a person concerned (except for the cases when a person concerned is a legal entity). The order for obtaining the unique identifier shall be established by the Council of Ministers of the Republic of Belarus;

with the use of the personal key of the electronic digital signature which certificate of the correspondent open key was issued by the national certifying centre of the State System of Control of Open Keys for check of the electronic digital signature in the Republic of Belarus.

The way of access to the common portal of electronic services for the submission of the electronic application of a person concerned shall be specified by the Council of Ministers of the Republic of Belarus in the list of the administrative procedures subject to the implementation in the electronic form through the common portal of electronic services.

7. If the legislation on administrative procedures does not specify the data, which should be contained in the application of a person concerned to be submitted electronically, such application shall contain the data stated in the second - ninth paragraphs of the first part of clause 5 of this article.

8. The electronic application of a person concerned shall be considered in the order established by this Law for the consideration of written applications, with respect to the peculiarities stated by this Law.

Article 15. Documents and (or) Data to be Submitted together with Application of Person Concerned

1. The lists of the documents and (or) data to be submitted by persons concerned may include only the documents and (or) data which are necessary for the implementation of an administrative procedure and which can be submitted only by the person concerned.

The lists mentioned may not include the documents and (or) data which are available in the authorized bodies or can be obtained by them from other governmental bodies, other organizations, as well as from the state registers, inventories, cadastres, lists, catalogues, data bases and banks, except for the cases when such documents and (or) data are available with the person concerned.

The document proving the payment of the fee to be charged with the implementation of an administrative procedure shall not be submitted, if the person concerned by means of the automated information system of the common settlement and information space paid such fee.

2. When the application is submitted in writing or orally, it is prohibited to request, from the person concerned, the documents and (or) data, other than the documents and (or) data included in the lists of the documents and (or) data to be submitted by persons concerned; except for the documents:

identifying a citizen;

proving the official status of the head of a legal entity, as well as identifying ones;

proving the state registration of a legal entity or individual entrepreneur;

proving the powers of the representative of a person concerned;

proving the consent of a person concerned for the submission of the documents and (or) data necessary for the implementation of an administrative procedure, containing the information related to the person concerned and being the commercial or other secret protected by law, by other governmental bodies, other organizations on the request of the authorized body, if the person concerned has failed to submit such documents and (or) data on its own;

proving the payment of the fee to be charged with the implementation of an administrative procedure, for the issue of the documents and (or) data requested by the authorized body (except for the case stated in the third part of clause 1 of this article), if such fee is established for such issue by the legislation and the person concerned has failed to submit such documents and (or) data on its own.

If the lists of the documents and (or) data to be submitted by persons concerned do not mention whether an original copy or copy should be submitted, an original copy of a document or its notarized copy shall be subject to submission, except for the case stated in the third part of this clause.

If the lists of the documents and (or) data to be submitted by persons concerned mention that the identifying document of a citizen is subject to the submission, the original copy of such document shall be subject to the submission, unless otherwise stated by the legislative acts.

If the lists of the documents and (or) data to be submitted by persons concerned mention that a copy of the documents is subject to the submission, such copy does not require any notarization or other attestation or certification, unless otherwise stated by the legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

3. If a person concerned submits the application electronically:

the documents and (or) data included in the lists of the documents and (or) data to be submitted by persons concerned, are subject to the submission in the electronic form corresponding to the original copy of the document being submitted or its notarized copy. In such case no signing with the electronic digital signature of the documents and (or) data enclosed to the application of a person concerned is required, unless otherwise stated by the legislative acts and resolutions of the Council of Ministers of the Republic of Belarus;

instead of the identifying document of a citizen, the appropriate data of the citizen shall be used, as received during the arrangement of its access to the common portal of electronic services in accordance with the first part of clause 6 of article 14 of this Law;

the consent of a person concerned for the submission of the documents and (or) data necessary for the implementation of an administrative procedure, containing the information related to the person concerned and being the commercial or other secret protected by law, by other governmental bodies, other organizations on the request of the authorized body, if the person concerned has failed to submit such documents and (or) data on its own, shall be stated in the application submitted;

the payment of the fee to be charged with the implementation of an administrative procedure, for the issue of the documents and (or) data requested by the authorized body, if such fee is established for such issue by the legislation and the person concerned has failed to submit such documents and (or) data on its own, shall be effected by means of the automated information system of the common settlement and information space. The information on payment of the fee (reference number of the operation (transaction) in the common settlement and information space or the record of the payment made, if such number is not required for the confirmation of the actual payment) shall be contained in the application submitted.

A person concerned may participate in the implementation of an administrative procedure in the electronic form through its representatives in the cases stipulated by the legislative acts.

4. The documents and (or) data which are necessary for the implementation of an administrative procedure and not included in the lists of the documents and (or) data to be submitted by persons concerned, shall be specified by the legislation on administrative procedures and requested by the authorized body on its own.

5. When filing an application, a person concerned may submit the document and (or) data stated in clause 4 of this article, on its own.

6. The documents issued by the competent bodies of the foreign states, except for the identifying documents, shall be accepted, if their legalization or apostille is available, unless otherwise stated by the legislation on administrative procedures, as well as the international treaties of the Republic of Belarus.

The documents made in a foreign language shall be accompanied with the notarized translation into the Belorussian or Russian language, unless otherwise stated by this Law and other legislative acts on administrative procedures.

The diplomatic missions and consular offices of the Republic of Belarus shall accept the documents issued by the competent bodies of the foreign states, without translation into the Belorussian or Russian language, provided that:

the document is made in one of the state languages of the country of accreditation of the diplomatic mission and consular office of the Republic of Belarus;

the consular officer considering the administrative procedure with the use of such document, knows the language the document is made in;

the administrative procedure with the use of such document does not assume that the document will be sent by the diplomatic mission or consular office of the Republic of Belarus for the consideration to other governmental bodies, other organizations of the Republic of Belarus.

If the authorized body requests the documents and (or) data necessary for the implementation of an administrative procedure, the person concerned shall arrange the translation of the documents and (or) data made in a foreign language into the Belorussian and (or) Russian languages and its notarization.

Article 16. Registration of Applications of Persons Concerned. Records Management for Applications of Persons Concerned

1. The applications of persons concerned shall be subject to the registration on the day of their submission.

The applications of persons concerned which are received by the authorized body on a non-business day (in off time) shall be registered not later than on the first business day next to that day.

2. The records management for the applications of persons concerned shall be made under the order established by the Council of Ministers of the Republic of Belarus.

Article 17. Refusal of Acceptance of Application of Person Concerned

1. The authorized body refuses to accept the application of a person concerned:

in the case of failure to submit the documents and (or) data included in the lists of the documents and (or) data to be submitted by persons concerned (except for the cases stated in the third part of clause 1 and third paragraph of the first part of clause 3 of article 15 of this Law), as well as the documents stated in the second - seventh paragraphs of the first part of clause 2 of article 15 of this Law, if such documents are requested for;

if the electronic application of the person concerned contains the data stated in the forth and fifth paragraphs of the first part of clause 3 of article 15 of this Law;

in other cases, provided for by the legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

2. The authorized body may refuse to accept the written or electronic application of a person concerned, if such application does not meet the requirements to the form and content.

3. The authorized body may refuse to accept the repeated application of the person concerned without new data, if such body has the administrative decision on refusal of the implementation of the administrative procedure under the application of such person.

4. If the consideration of the application of a person concerned does not fall within the competence of the governmental body, other organization, this governmental body, other organization refuses to accept the application of the person concerned within three business days from the date of the registration of such application, with the authorized body notified, or sends it to the appropriate authorized body with the simultaneous notification about it of the person concerned.

5. The authorized body shall take the administrative decision on refusal to accept the application of a person concerned within three business days from the date of the registration of such application, unless other time is established by the legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

In case of refusal to accept the application of a person concerned, the documents and (or) data submitted together with the application of the person concerned, except for the electronic application of the person concerned, shall be returned to such person.

6. The refusal to accept the application of a party concerned shall not prevent from its repeated submission to the authorized body, after the correction of the defects caused the refusal.

Article 18. Recall of Application of Person Concerned

1. A person concerned may recall the application at any time before the completion of the implementation of an administrative procedure.

The oral application of a person concerned shall be recalled by means of the submission of the oral or written application to the authorized body considering the application of the person concerned.

The written application of a person concerned shall be recalled by means of the submission of the written application to the authorized body considering the application of the person concerned.

The electronic application of a person concerned shall be recalled by means of the submission of the electronic application through the common portal of electronic services or in writing to the authorized body considering the application of the person concerned.

2. In the case of recall of the application of a person concerned, the authorized body shall cease the consideration essentially and return the documents and (or) data submitted together with the application of the person concerned, to such person, except for the cases of the electronic application of the person concerned.

CHAPTER 5

ORDER OF CONSIDERATION OF APPLICATION OF PERSON CONCERNED

Article 19. Sole and Collegiate Consideration of Application of Person Concerned

The application of a person concerned shall be considered solely by an employee of the authorized body, and in the cases stipulated by the legislation on administrative procedures or by the decision of the authorized body - by the collegiate team of the person concerned.

Article 20. Actions of Employees of Authorized Body during Consideration of Application of Person Concerned

1. In the course of the consideration of the application of a person concerned the employees of the authorized body shall:

examine the documents and (or) data submitted by the person concerned;

search and analyse the documents and (or) data what are necessary for the implementation of an administrative procedure and are available with the authorized body;

verify the information contained in the documents and (or) data submitted by the person concerned, with the information available with the authorized body;

obtain the necessary data from the state registers, inventories, cadastres, lists, catalogues, data bases and banks;

forward requests to other governmental bodies, other organizations;

determine the presence or absence of the grounds for the implementation of an administrative procedure;

take, if necessary, other measures for the consideration of the application of the person concerned.

2. In the course of the implementation of administrative procedures the personal data of citizens are collected, processed, stored and used without their written consent, with compliance with the requirements established by the legislative acts, for protection of the information which dissemination and (or) disclosure are limited.

Article 21. Forms of Cooperation of Authorized Body with Other Governmental Bodies, Other Organizations in Course of Consideration of Application of Person Concerned

1. The documents and (or) data, which are necessary for the implementation of an administrative procedure and not included in the lists of the documents and (or) data to be submitted by persons concerned, may be obtained by the authorized body by means of:

the national automated information system from the state registers, inventories, cadastres, lists, catalogues, data bases and banks, other information resources and information systems integrated in the national automated information system;

requests and responses as electronic documents with the use of the inter-departmental electronic document management system of the governmental bodies;

requests and responses in writing;

other ways.

2. The employees of the authorized bodies, as well as the employees of other governmental bodies which the powers were delegated to in accordance with clause 2 of article 5 of this Law, for the purposes of the implementation of administrative procedures, have the right to print a hard copy and use the information obtained in accordance with the second and third paragraphs of clause 1 of this article, provided that the date and method of receipt of such information are certified.

Article 22. Request

1. The authorized body shall make a request to the governmental body, other organization which competence includes the submission of the documents and (or) data necessary for the implementation of the administrative procedure.

2. The request shall contain:

the name of the authorized body making the request, mail or e-mail address which the requested documents and (or) data necessary for the implementation of the administrative procedure shall be sent to;

the registration number and date of the request;

the name of the governmental body, other organization the request is made to;

the reference to the legislative act establishing the competence of the authorized body for the implementation of the administrative procedure;

the reference to the legislative act establishing the list of the documents and (or) data which are necessary for the implementation of the administrative procedure and not included in the lists of the documents and (or) data to be submitted by persons concerned;

the information about the person concerned (surname, name, patronymic (if any), place of residence (place of stay) - for citizens; name and place of location - for legal entities);

the list of the documents and (or) data requested;

the position, surname, name, patronymic (if any), signature (electronic digital signature) of the employee of the authorized body who made the request, except for the cases when the request is made by means of the national automated information system;

other data adjusted for the request peculiarities and to the extent necessary for meeting such request.

3. If the requested documents and (or) data necessary for the implementation of an administrative procedure contain the information related to the person concerned and being the commercial or other secret protected by law, the request shall state the consent of the person concerned for the submission of such documents and (or) data.

4. If the legislative acts, resolutions of the Council of Ministers of the Republic of Belarus establish the fee to be charged with the implementation of an administrative procedure for issue of the requested documents and (or) data, then such documents and (or) data shall be requested by the authorized body after the submission by the person concerned of the document proving payment of such fee, except for the case stated in the third part of clause 1 of article 15 of this Law. The mentioned document shall be enclosed to the request by the authorized body.

5. The request shall be made by the authorized body as soon as possible, but not later than five days from the date of the registration of the application of the person concerned.

6. The governmental body, other organization shall furnish with the documents and (or) data necessary for the implementation of an administrative procedure on the grounds of the request within the seven-day period from the date of receipt of such request, unless other time is stipulated by the legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

Article 23. Refusal to Issue Documents and (or) Data on Request

1. The governmental body, other organization that received the request shall refuse to issue the documents and (or) data, if:

issue of the requested documents and (or) data does not fall within the competence of such governmental body, other organization;

the request was made by the governmental body, other organization in relation to the administrative procedure which implementation does not fall within their competence;

the requested documents and (or) data contain the information being the state secret;

the request does not state whether the consent of the person concerned for the submission of the documents and (or) data containing the information related to the person concerned and being the commercial or other secret protected by law, has been given;

the document proving the payment of the fee to be charged with the implementation of the administrative procedure, for issue of the requested documents and (or) data, is not enclosed to the

request – if such fee is established by the legislative acts, resolutions of the Council of Ministers of the Republic of Belarus, except for the case stated in the third part of clause 1 of article 15 of this Law;

issue of the requested documents and (or) data is impossible due to their unavailability, full or partial loss.

2. In case of refusal to issue the requested documents and (or) data, the governmental body, other organization shall give a notice with the refusal grounds stated, to the authorized body within three business days from the date of the request receipt.

CHAPTER 6

ADMINISTRATIVE DECISION

Article 24. Types of Administrative Decisions

In the course of the consideration of the application of a person concerned by the authorized body one of the following administrative decisions shall be taken:

on refusal of the acceptance of the application of the person concerned;
on the implementation of the administrative procedure;
on refusal of the implementation of the administrative procedure.

Article 25. Refusal of Implementation of Administrative Procedure

The authorized body shall refuse to implement the administrative procedure:

in cases of liquidation (discontinuation of activities), death of the person concerned, unless otherwise stated by the legislative acts;

if the person concerned has submitted the documents and (or) data which do not comply with the respective requirements of the legislation, including forged, fake or invalid documents;

in other cases, provided for by the legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

Article 26. Form and Contents of Administrative Decision

1. The administrative decision on the implementation of an administrative procedure or on refusal of the implementation of an administrative procedure shall be taken in writing or electronically, including by means of making records in the registers, inventories, protocols, data banks, other documents or information resources.

2. The administrative decision on the refusal of the acceptance of the application of a person concerned shall be taken orally or electronically, except for the cases stated in the third part of this clause.

The administrative decision on the refusal of the acceptance of the application of a person concerned which was submitted in writing or orally, shall be taken in writing, if the person concerned has submitted the application by mail or the person concerned has demanded to make this decision in writing, as well as in other cases stipulated by the legislative acts.

2. Unless otherwise stipulated by the legislation on administrative procedures, the administrative decision taken in writing or electronically shall contain:

the date and registration number of the administrative decision;

the name of the authorized body taken this decision;

the information about the person concerned (surname, name, patronymic (if any), place of residence (place of stay) - for a citizen; name and place of location - for a legal entity);

the essence of the administrative decision taken;

the legal grounds of the administrative decision taken, the order of the appeal of the administrative decision - in case of the refusal of the acceptance of the application of the person concerned;

the legal grounds of the administrative decision taken, actual circumstances established in the course of the consideration of the application of the person concerned, the order of appeal of the administrative decision - in case of the refusal of the implementation of the administrative procedure;

the position, surname, name, patronymic (if any), signature of the employee of the authorized body which competence includes signing of such decision - when the administrative decision is taken in writing;

the position, surname, name, patronymic (if any) of the employee of the authorized body which competence includes signing of such decision, and (or) its electronic digital signature - when the administrative decision is taken electronically.

3. The certificates or other documents issued with the implementation of administrative procedures have the same status as the written form of the administrative decision.

The national public management bodies have the right to establish the standard forms of the certificates to be issued to persons concerned, in relation to the administrative procedures to be implemented by such bodies and organizations subordinate or forming a part (system) thereof, if the forms of such certificates are not established by the legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

Article 27. Notification of Administrative Decision Taken

1. The administrative decision taken orally in the course of the reception of a person concerned shall be subject to the announcement to the person concerned.

The administrative decision taken in writing (its copy, extract thereof) or notice about such decision shall be given to the person concerned or sent by special delivery (courier), by post, not later than, seven business days from the date of the respective decision, unless otherwise stipulated by the fourth part of this clause.

The administrative decision taken electronically or notice about such decision shall be sent to the person concerned through the common portal of electronic services not later than seven business days from the date of the respective decision, unless otherwise stipulated by the fourth part of this clause or a legislative act in the field of licensing.

If the administrative decision on refusal of the implementation of the administrative procedure is taken in accordance with the second paragraph of article 25 of this Law, the person concerned is not notified about such administrative decision.

2. When addressed to the authorized body, the person concerned has the right to receive the administrative decision (its copy, extract thereof) issued with the implementation of the administrative procedure.

Article 28. Effective Date of Administrative Decision. Validity Period of Administrative Decision

1. An administrative decision shall enter into force on the day of decision-taking, unless other time is stated in such decision.
2. The validity period of a certificate or other document issued with the implementation of an administrative procedure, may not exceed six months, unless other time is stipulated by the legislative acts, resolutions of the Council of Ministers of the Republic of Belarus.
3. A certificate or other document issued with the implementation of an administrative procedure are deemed to be permanent, if their validity period is not established as of the moment of the implementation of the administrative procedure and their validity may be terminated only by means of the execution or making void, invalidation, annulment or cancellation.

Article 28¹. Amending and (or) Supplementing Administrative Decision. Issue of Duplicate Administrative Decision

1. The administrative decision shall be amended and (or) supplemented free of charge according to the application of a person concerned within the ten-day period from the date of the registration of the application, unless otherwise stated by the legislative acts, resolutions of the Council of Ministers of the Republic of Belarus.

The person concerned should return the certificates or other documents issued earlier in the course of the implementation of the administrative procedure, if amending and (or) supplementing the certificates or other documents (issue of new ones) is required simultaneously with amending and (or) supplementing the administrative decision.

The person concerned shall be exempted from payment for the services (works) provided with the implementation of administrative procedures, when the administrative decision is amended and (or) supplemented because of the necessity to correct the errors (inaccuracies) (including in issued certificates and other documents (duplicates thereof)) made through the fault of the authorized bodies, other governmental bodies and other organizations, if such fee is established by the legislative acts, resolutions of the Council of Ministers of the Republic of Belarus for amending and (or) supplementing the administrative decision.

2. The duplicate of the administrative decision (if issue of the duplicate is permitted by law) shall be issued free of charge within the ten-day period from the date of the registration of the application with enclosed outworn original administrative decision (if any), unless otherwise stated by the legislative acts, resolutions of the Council of Ministers of the Republic of Belarus.
3. The notification on the administrative decision taken, after amending and (or) supplementing thereof, on issue of the duplicate of the administrative decision shall be made under the order established by article 27 of this Law.

Article 29. Official Attestation of Copies of Certificate or Other Document

1. The authorized body that issued the certificate or other document to a person concerned, should, under the application of the person concerned, attest the trueness of copies of such certificate and other document, if law does not establish the necessity in notarization of copies of such certificate or other document.
2. The trueness of copies of the certificate or other document shall be attested by the authorized body within the three-day period from the date of the registration of the appropriate application.

SECTION III

APPEAL OF ADMINISTRATIVE DECISION

CHAPTER 7

ORDER OF APPEAL OF ADMINISTRATIVE DECISION. SUBMISSION OF ADMINISTRATIVE COMPLAINT

Article 30. Order of Appeal of Administrative Decision

1. A person concerned and third person have the right to appeal the administrative decision under the administrative order (extrajudicially).
2. The administrative complaint shall be lodged in the superior governmental body (superior organization) or to the governmental body, other organization which competence includes the consideration of such complaints (hereinafter - the body considering the complaint) in accordance with the legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.
3. The administrative decision shall be appealed judicially after the appeal of such decision under the administrative order (extrajudicially), unless other order of appeal is stated by the legislative acts.

In case of unavailability of the body considering the complaint, the administrative decision of the authorized body may be appealed against directly to the court.

The administrative decision shall be appealed judicially in accordance with the civil procedure or economic procedure legislation.

Article 31. Time of Lodging Administrative Complaint

1. The administrative complaint may be lodged with the body considering the complaint, within one year from the date of taking the administrative decision appealed against.
2. The body considering the complaint may renew the time of lodging the administrative complaint, if such time was missed for the reasonable excuse (severe illness, long-term business trip, etc.).

Article 32. Form and Contents of Administrative Complaint

1. An administrative complaint shall be lodged in writing or electronically.
2. The written administrative complaint shall contain:
 - the name of the body considering the complaint;
 - the information about the person concerned and third person (hereinafter, unless otherwise stated, - the person who lodged the administrative complaint):
 - the surname, name, patronymic (if any), place of residence (place of stay) - for a citizen;
 - the name and place of location - for a legal entity;
 - the name of the authorized body which has taken the administrative decision appealed against;
 - the essence of the administrative decision appealed against;
 - the grounds upon which the person who lodged the administrative complaint thinks that the administrative decision appealed against is illegal;
 - the requirements of the person who lodged the administrative complaint;
 - the list of the documents and (or) data (if available) which are submitted together with the administrative complaint;
 - the signature of a citizen or signature of the head of the legal entity or the person properly authorized to sign the administrative complaint, or signature of the representative of the person who lodged the administrative complaint.

3. The electronic administrative complaint shall be lodged through the common portal of electronic services with the use of the identification means stated in the third and fourth paragraphs of the first part of clause 6 of article 14 of this Law.

The electronic administrative complaint shall contain the data stated in the second - eighth paragraphs of clause 2 of this article.

For the electronic administrative complaint, no signing with the electronic digital signature of the documents and (or) data enclosed to the complaint is required, unless otherwise stated by the legislative acts and resolutions of the Council of Ministers of the Republic of Belarus;

Article 33. Registration of Administrative Complaints

1. The administrative complaints shall be subject to the registration on the day of their lodging.

The administrative complaints which are received on a non-business day (in off time) shall be registered not later than on the first business day next to that day.

Article 34. Non-consideration of Administrative Complaint

1. The administrative complaint shall not be considered within three business days from the date of its registration, if:

the consideration of the administrative complaint does not fall within the competence of the governmental body, other organization;

the administrative complaint was lodged by a non-authorized person;

the administrative complaint was lodged upon expiration of the established time and does not contain the motion for the renewal of the missed time.

2. The administrative complaint may be not considered within three business days from the date of its registration, if:

the requirements to the contents of the administrative complaint are not met;

the decision for this administrative complaint is already available with the body considering the complaint;

3. In case of non-consideration of the administrative complaint, the documents and (or) data submitted together with the administrative complaint shall be returned to the person who lodged the administrative complaint, except for the case of the electronic administrative complaint.

4. Upon correction of the defects caused the non-consideration of the administrative complaint, the administrative complaint may be lodged again with the body considering the complaint.

Article 34¹. Recall of Administrative Complaint

1. The person who lodged the administrative complaint may recall its administrative complaint at any time before the completion of consideration thereof.

The written administrative complaint shall be recalled by means of the written application submitted to the body considering the complaint.

The electronic administrative complaint shall be recalled by means of the submission of the electronic application through the common portal of electronic services or in writing to the body considering the complaint.

2. In case of recall of the administrative complaint, the body considering the complaint shall cease its consideration in essence and return the documents and (or) data submitted together with the administrative complaint to the person who lodged the administrative complaint, except for the case of the electronic administrative complaint.

CHAPTER 8

CONSIDERATION OF ADMINISTRATIVE COMPLAINT

Article 35. Sole and Collegiate Consideration of Administrative Complaint

The administrative complaint shall be considered solely by an employee of the body considering the complaint, and in the cases stipulated by the legislation on administrative procedures or by the decision of the body considering the complaint - by the collegiate team of such body.

Article 36. Limits of Consideration of Administrative Complaint

1. The body considering the complaint shall consider it with account of the documents and (or) data available and submitted additionally.
2. The body considering the complaint shall not be bounded by the reasons of the administrative complaint verifying the legality and reasonableness of the administrative decision appealed against, in full.

Article 37. Time of Consideration of Administrative Complaint

The administrative complaint shall be considered within a month period from the date of its registration. The legislation on administrative procedures may establish the reduced times for the consideration of administrative complaints.

Article 38. Consequences of Lodging Administrative Complaint

Lodging the administrative complaint shall not suspend the execution of the administrative decision appealed against.

CHAPTER 9

DECISION ON ADMINISTRATIVE COMPLAINT

Article 39. Types of Decisions on Administrative Complaint

When considering the administrative complaint, the body considering the complaint shall take one of the following decisions:

on non-consideration of the administrative complaint;
on non-altering the administrative decision, and on dismissing the administrative complaint;
on cancellation of the administrative decision and taking a new administrative decision;
on referring the administrative complaint to the authorized body for the repeated consideration of the application of the person concerned, with the statement of the violations made and offers for the correction.

Article 40. Form and Contents of Decision on Administrative Complaint

The decision on the administrative complaint shall be made in writing and contain the following:

the date and registration number of the decision;
the name of the body considering the complaint;
the information about the person who lodged the administrative complaint:
the surname, name, patronymic (if any), place of residence (place of stay) - for a citizen;

the name and place of location - for a legal entity;
the date and registration number of the written administrative decision appealed against;
the name of the authorized body which has taken the administrative decision;
the essence of the administrative decision appealed against;
the grounds upon which the person who lodged the administrative complaint thinks that the administrative decision appealed against is illegal, actual circumstances established in the course of the consideration of the administrative complaint (shall not be stated in the decision on the non-consideration of the administrative complaint);
the legal grounds and essence of the decision taken on the administrative complaint;
the signature of the employee of the body considering the complaint which competence includes signing of such decision.

**Article 41. Cancellation of Administrative Decision and Taking New Administrative Decision.
Referring Administrative Complaint to Authorized Body for Repeated Consideration of
Application of Person Concerned**

1. The body, that considering the complaint, shall cancel the administrative decision and take a new administrative decision, if the solution of the matter stated in the application of the person concerned falls within the competence of the body considering the complaint.
2. The body, that considering the complaint, shall send the administrative complaint to the authorized body for the repeated consideration of the application of the person concerned with the statement of the violations made and offers for their correction, if the solution of the matter stated in the application of the person concerned falls within the exclusive competence of the authorized body which decision is appealed against.
3. The grounds for the cancellation of the administrative decision and taking a new administrative decision, as well as for referring the administrative complaint to the authorized body for repeated consideration are:

incomplete clarification by the authorized body of the circumstances relevant for the implementation of the administrative procedure;

non-compliance of the contents of the administrative decision with the materials obtained in the course of the consideration of the application of the person concerned;

violation or misuse of the legislation during the consideration of the application of the person concerned.

**Article 42. Notification about Decision Taken on Administrative Complaint. Effective Date of
Decision on Administrative Complaint**

1. The decision on the administrative complaint shall be given to the person who lodged the administrative complaint, or sent by special delivery (courier), by post, as an electronic document not later than five business days from the date of such decision taken.
2. The decision on the administrative complaint shall enter into force on the day of decision-taking, unless other time is stated in such decision.

SECTION IV

**EXECUTION OF ADMINISTRATIVE DECISION AND DECISION ON
ADMINISTRATIVE COMPLAINT. CONTROL AND LIABILITY**

CHAPTER 10

EXECUTION OF ADMINISTRATIVE DECISION AND DECISION ON ADMINISTRATIVE COMPLAINT

Article 43. Order of Execution of Administrative Decision and Decision on Administrative Complaint

1. The administrative decision and decision on the administrative complaint, which entered into force, are mandatory.
2. The authorized body and body considering the complaint, which took the respective decision, should ensure the execution thereof.
3. The administrative decision, decision on the administrative complaint may be executed by means of issue of the certificate or other document to the person concerned, making the record in the appropriate register, inventory, protocol, data bank, other document or information resource, as well as provision of monetary funds, other property and (or) services.

The execution of such decisions may be conditioned by certain actions to be made by the person concerned.

Article 44. Time of Execution of Administrative Decision and Decision on Administrative Complaint

1. The administrative decision shall be subject to execution within the time limit of the implementation of the administrative procedure.
2. The decision on the administrative complaint shall be subject to the execution within the five-day period from the effective date, unless other time of the execution is stated in such decision or legislation on administrative procedures.

CHAPTER 11

CONTROL AND LIABILITY

Article 45. Control over Implementation of Administrative Procedures

1. The governmental bodies, other organizations, within their competence, shall exercise the control over the implementation of administrative procedures.
2. The heads of the authorized bodies or the employees authorized by them shall analyse regularly, but at least quarterly, the comments and offers of persons concerned, in relation to the implementation of administrative procedures in the authorized bodies, for the purposes of the optimization of the activities of such bodies and elimination of shortcomings in the work.

Article 46. Liability for Violation of Legislation on Administrative Procedures

For violation of the legislation on administrative procedures, the heads and other employees of the authorized body, other governmental bodies and other organizations shall be held liable in accordance with the legislative acts.

SECTION V
FINAL PROVISIONS
CHAPTER 12

MEASURES FOR IMPLEMENTATION AND ENTER INTO FORCE OF THIS LAW

Article 47. Measures for Implementation of This Law

Within the six-month period, the Council of Ministers of the Republic of Belarus shall:

together with the National Centre of Legislation and Legal Research of the Republic of Belarus, prepare and submit the offers for bringing the legal acts into agreement with this Law, under the established procedure;

bring the decisions of the Government of the Republic of Belarus into agreement with this Law;

ensure the review and invalidation of the normative legal acts contradicting this Law, by the national public management bodies subordinate to the Government of the Republic of Belarus;

take other measures necessary for the implementation of the provisions of this Law.

Article 48. Effective Date of This Law

1. This Law shall enter into force six months after its official publication, except for this article and article 47 which enter into force on the date of the official publication of this Law.

2. The operation of this Law covers the implementation of the administrative procedures under the applications of persons concerned, submitted to the authorized bodies after enter into force of this Law.

The administrative procedures under the applications of persons concerned, submitted to the authorized bodies before this Law entered into force shall be implemented under the rules valid before this Law entered into force.

President of the Republic of Belarus

A. Lukashenko