

RESOLUTION OF THE CABINET OF MINISTERS OF THE REPUBLIC OF AZERBAIJAN

On approval of the Regulation on the requirements for persons admitted to the examination for obtaining the certificate of an independent expert, on the procedure for conducting the examination, and on the form and procedure for issuing the certificate of an independent expert

In order to ensure the implementation of sub-item 2.1.2 of Decree of President of the Republic of Azerbaijan No. 2266 dated July 31, 2023 on the application of the Law of the Republic of Azerbaijan No. 948-VIQD dated July 6, 2023 on the amendments to the Law on Insurance Activity and on the amendments to Decree No. 735 dated March 13, 2008 on the application of the Law of the Republic of Azerbaijan on Insurance Activity No. 519-IIIQ dated December 25, 2007 and to Decree No. 860 dated April 11, 2016 on the establishment of the State Examination Center of the Republic of Azerbaijan as a public legal entity, the Cabinet of Ministers **resolves:**

To approve the Regulation on the requirements for persons admitted to the examination for obtaining the certificate of an independent expert, on the procedure for conducting the examination, and on the form and procedure for issuing the certificate of an independent expert (attached).

Ali ASADOV
Prime Minister of the Republic of Azerbaijan

Baku city, May 24, 2024
No. 277

Approved
by Resolution No. 277 of the
Cabinet of Ministers of the Republic of Azerbaijan
dated May 24, 2024

Regulation on the requirements for persons admitted to the examination for obtaining the certificate of an independent expert, on the procedure for conducting the examination, and on the form and procedure for issuing the certificate of an independent expert

1. General provisions

1.1. This Regulation has been developed in accordance with Article 94-3.3 of the Law of the Republic of Azerbaijan "On Insurance Activity" (hereinafter referred to as the "Law") and determines the requirements for persons admitted to the examination to obtain the certificate of an independent expert, the procedure for conducting the examination, the form and procedure for issuing an independent expert certificate.

1.2. This Regulation applies to other areas determined by the "Areas of activity of independent experts" approved by Resolution No. 276 of the Cabinet of Ministers of the Republic of Azerbaijan dated May 24, 2024, except for the areas of agricultural plants and plant products, agricultural animals and animals bred for agricultural purposes, and aquaculture products.

1.3. The requirements for persons admitted to the examination for obtaining the certificate of an independent expert in the field of agricultural plants and plant products, agricultural animals and animals bred for agricultural purposes, and aquaculture products, the procedure for conducting the examination, the form of the independent expert certificate and the procedure for issuing it are regulated in accordance with Article 10.1 of the Law of the Republic of Azerbaijan "On Agricultural Insurance".

2. Requirements for candidates for admission to the independent expert certificate examination

2.1. An individual wishing to carry out independent expert activities (hereinafter referred to as the "candidate") shall:

2.1.1. have acceptable and necessary qualities;

2.1.2. have higher education and at least 3 (three) years of work experience in positions related to the implementation of the main activity in the relevant field to become an independent expert in the following areas:

2.1.2.1. finance,

2.1.2.2. engineering,

2.1.2.3. railway transport,

2.1.2.4. air transport,

2.1.2.5. water transport.

2.1.3. A person shall have a higher education or professional training in order to become an independent expert in the field of motor transport and real estate insurance.

2.2. A candidate wishing to take the examination submits the following documents to the Central Bank of the Republic of Azerbaijan (hereinafter referred to as the "Central Bank"):

2.2.1. questionnaire completed by the candidate in form prescribed by the Central Bank;

2.2.2. copy of the identity document certified by notary or in accordance with the procedure established by Article 9 of the Law of the Republic of Azerbaijan "On Administrative Proceedings";

2.2.3. certificate issued by the relevant state authorities of the country where the foreign individual is a resident, stating whether he or she has been held criminally liable, which is legalized or apostilled in accordance with the procedure established by law;

2.2.4. copy of the document on higher education or vocational education certified by notary or in accordance with the procedure established by Article 9 of the Law of the Republic of Azerbaijan "On Administrative Proceedings";

2.2.5. in case of higher education abroad, copy of the certificate of recognition of specialties of higher education abroad issued by the Ministry of Science and Education of the Republic of Azerbaijan, notarized or certified according to the procedure established by Article 9 of the Law of the Republic of Azerbaijan "On Administrative Proceedings";

2.2.6. copy of the document confirming the professional experience of the candidate who intends to become an independent expert in the fields specified in paragraph 2.1.2 of this Regulation, certified by a notary public or in accordance with the procedure established by Article 9 of the Law of the Republic of Azerbaijan "On Administrative Proceedings".

2.3. If it is possible to obtain the documents or information specified in paragraph 2.2 of this Regulation from the relevant state body (institution) through the Electronic Government Information System, such documents or information shall not be required. In cases where it is not possible to obtain such documents or information through the Electronic Government Information System, their submission shall be requested from the relevant state body (institution) upon request with the consent of the candidate or shall be provided by the applicant.

2.4. The documents specified in paragraph 2.2 of this Regulation shall be verified within 30 (thirty) calendar days from the date of their submission to the Central Bank. If errors or deficiencies are found in the submitted documents (taking into account the provisions of paragraph 2.3 of this Regulation), the candidate shall be officially informed thereof within 15 (fifteen) calendar days from the date of submission of the documents to the Central Bank and shall be offered to correct the errors or deficiencies within 10 (ten) calendar days. In this case, the time limit for the examination of the documents shall be calculated from the date of the elimination of such errors or deficiencies. Candidates who do not correct the errors or deficiencies within this period shall not be admitted to the

examination. The candidate shall be officially notified by the Central Bank of his/her admission to the examination or of his/her refusal to be admitted to the examination. A candidate who is not admitted to the examination may appeal against the decision of the Central Bank.

2.5. Information about candidates who meet the requirements of paragraph 2.1 of this Regulation shall be sent by the Central Bank to the State Examination Center of the Republic of Azerbaijan (hereinafter referred to as the "Center") within 5 (five) business days after the end of the document review period in accordance with paragraph 2.4 of this Regulation.

3. Organization of examinations

3.1. The Center organizes and conducts the examination, and issues certificates as a result of the examination.

3.2. In order to organize the examination, the Center shall:

3.2.1. announce registration for the examination at least 1 (one) month before the examination date;

3.2.2. post on the Center's website (hereinafter referred to as the "website") the admission card of the candidate who will take the exam and the booklet containing information about the examination rules at least 5 (five) calendar days prior to the examination;

3.2.3. determine the examination schedule and technology to conduct the examination;

3.2.4. compile a list of correct answers to examination questions and ensure that this list is stored in a specially designated database, subject to confidentiality;

3.2.5. review and resolve applications, complaints and suggestions regarding the organization, conduct and results of the examination;

3.2.6. disseminate the examination schedule through the website and print media;

3.2.7. provide a personal identification code to each candidate who will take the examination;

3.2.8. determine examiners;

3.2.9. issue the certificates specified in paragraph 5.2 of this Regulation within 15 (fifteen) calendar days from the date of announcement of the examination results.

3.3. Examination questions are designed by the Center.

3.4. The examination covers the materials specified in the program provided by the Central Bank for each area in which independent expert activity is carried out, including insurance legislation.

3.5. The examination is held centrally by the Center on a paid basis in Baku or in the regions. The fee for the examination is set at 80 manat (excluding VAT).

4. Conduct of examinations

4.1. After submitting information about the candidates, the Center announces registration for participation in the examination in accordance with paragraph 3.2.1 of this Regulation. The examination is held no more than 2 (two) times a year, no later than 1 (one) month from the date of the end of the registration period.

4.2. To participate in the examination, the candidate registers through the website by paying the amount specified in paragraph 3.5 of this Regulation during the registration period and is sent an electronic notification confirming registration.

4.3. The examination is held in one stage and consists of test tasks. There are the following types of test tasks:

4.3.1. closed-type test tasks, i.e., test tasks that require the identification and recording of 1 (one) correct answer from the given answer options;

4.3.2. open-ended test tasks, that is, those that do not provide answer options and require the correct answer to be determined and expressed in writing.

4.4. The number, types, and specific distribution of test tasks on topics covering insurance legislation and the areas specified in paragraph 2.1 of this Regulation are determined by the Center in agreement with the Central Bank.

4.5. The candidate's answers in the examination are evaluated in the following manner:

4.5.1. each correct answer to each of the closed-ended test questions is worth 1 point, and an incorrect answer or no answer is worth 0 points;

4.5.2. each correct answer to the open-ended test questions is worth 2 points, and an incorrect answer or no answer is worth 0 points.

4.6. The duration of the examination held for the issuance of an independent expert certificate in the areas specified in paragraphs 2.1.2.1-2.1.2.5 of this Regulation is 90 (ninety) minutes. The total (maximum) score that can be accumulated on the examination is 50.

4.7. The duration of the examination for the issuance of an independent expert certificate in the field of motor transport and real estate is 150 (one hundred and fifty) minutes. The total (maximum) score that can be obtained on the examination is 75.

4.8. A candidate is considered to have successfully passed the examination if he or she scores at least 60 percent of the total (maximum) score possible on the examination.

4.9. Information about candidates who have passed the examination and their certificates shall be submitted by the Center to the Central Bank within 5 (five) business days from the date of issuance of the certificate. Upon request, the Center shall issue a certificate of the examination results to the candidate who has participated in the examination.

4.10. A candidate who is dissatisfied with the examination result may appeal to the appeal commission established by the Center within 3 (three) working days from the date of announcement of the result.

4.11. The appeal is reviewed by the relevant experts in the appeal commission and the candidate is given a reasoned response by the Center. If it is discovered that the candidate's results were not calculated correctly, a recalculation is carried out and the candidate's

examination results are updated. The candidate may appeal the decision made regarding the examination results to the court.

4.12. The examination results are announced no later than 5 (five) business days after the examination is completed. Information about the examination results is posted on the website.

4.13. During the course of the examination, the candidate is prohibited from performing any of the following actions:

4.13.1. submitting a false or fraudulent document, sending someone else to take the exam instead of you, or coming to the exam in a drunken state;

4.13.2. bringing and using mobile phones and other communication devices, calculators, notes, dictionaries, spreadsheets, reference books, and other aids to examinations;

4.13.3. entering the examination building with incendiary, explosive, cutting, piercing, throwing or other similar items, or bringing tobacco products;

4.13.4. changing places, walking, standing up, and disrupting the progress of the examination from the moment it begins, regardless of the reason;

4.13.5. influencing someone else's score, including looking at someone else's answer card (sheet) or question paper, or allowing someone else to look at his/her answer card (sheet) or question paper, asking question or giving the answer to a question;

4.13.6. seeking help from the examiner or other persons for the solution of tasks;

4.13.7. leaving the examination hall without handing over the answer sheet and question paper to the examiner.

4.14. If the Center determines that a candidate has committed any of the acts specified in paragraph 4.13 of this Regulation, the candidate's examination results will be canceled. This decision is subject to administrative and judicial appeal.

5. Certification of independent experts

5.1. The center makes an appropriate decision about each candidate based on the results of the examination for issuing a certificate.

5.2. Persons who successfully pass the examination shall be issued independent expert certificates in the areas specified in paragraph 1.2 of this Regulation.

5.3. The validity period of the certificates specified in paragraph 5.2 of this Regulation is 5 (five) years.

5.4. At the end of the period of validity of the certificate of independent expert, the person shall be required to take the examination provided for in this Regulation in order to obtain a new certificate. A person who wishes to continue his activity as an independent expert may, in the last year of the period of validity of the independent expert certificate, participate in the examination organized by the Center to obtain the next certificate and obtain a new certificate.

5.5. The certificate is drawn up in the form specified in the Appendix to this Regulation and is signed and stamped by an official of the Center.

6. Closing provision

Taking into account the requirements of this Regulation and Article 10.1 of the Law of the Republic of Azerbaijan "On Agricultural Insurance", a person who has a certificate of an independent expert in one field shall pass an examination in another field in which he/she wishes to receive a certificate of an independent expert.

Appendix

To the Regulation on the requirements for persons admitted to the examination for obtaining the certificate of an independent expert, on the procedure for conducting the examination, and on the form and procedure for issuing the certificate of an independent expert

INDEPENDENT INSURANCE EXPERT CERTIFICATE

No. _____

_____ 20 _____

(name of the institution issuing the independent expert certificate)

(area of independent expert activity)

Independent expert certificate issued

(person's first name, last name, patronymic)

Validity period of the independent expert certificate _____

Person responsible for approving the independent expert certificate _____

(person's first name, last name, patronymic)

Title _____

Signature _____

L.S.