



APPROVED

By the Decision of the General Meeting
Of Non-commercial Partnership
“Sakhalin regional association of constructors”
Minutes №7 of February «20 » 2009

REGULATIONS

**On the procedure of admission as a member and execution of the
competency certificate**

**OF NON-COMMERCIAL PARTNERSHIP “SAKHALIN REGIONAL
ASSOCIATION OF CONSTRUCTORS”**

П-01-08.1

Yuzhno-Sakhalinsk
2009

<i>NE «Sakhalinstroy»</i>	
<i>«Regulations on the procedure of admission as a member and execution of the competency certificate» of Non-commercial Partnership “Sakhalin Regional Association of Constructors”</i>	<i>Entrance date: 02.12.2008</i>
	<i>Revision date: 20.02.2009</i>
	<i>Code: П-01-08.1</i>

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<i>«Regulations on the procedure of admission as a member and execution of the competency certificate» of Non-commercial Partnership “Sakhalin Regional Association of Constructors”</i>	<i>Entrance date: 02.12.2008</i>
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1. DESTINATION, THE SPHERE OF APPLICATION

1.1. These Regulations define the terms of admission as a member of Non-commercial Partnership “Sakhalin Regional Association of Constructors”, stipulate the requirements to the organizations and individual businesses which are Candidate Members and existing Members of the Partnership. It defines the procedure of entrance as a member, execution of the Competency Certificate and termination of the membership.

1.2. These Regulations apply to the activity of all members, as well as to the activity of Candidate Members of the Partnership both before and after the obtaining of status of self-governing organization.

2. TERMS, DEFINITIONS AND ABBREVIATIONS

At the time the following terms, their definitions and abbreviations are used in the Regulations:

Chief Executive Officer – sole executive body of the Partnership

Administration – administration management instrument of the Partnership, consisting of the subdivisions (departments, services), formed and headed by the **Chief Executive Officer**.

Control Department – the department of control and execution of Competency Certificates, which is a structural subdivision of the Partnership Administration.

Candidate Member of the Partnership (Candidate) – legal entity or individual business, carrying out (or planning to carry out) construction work as a main business activity. According to the determined business activities list affecting the safety of capital construction projects it is item 45 – “Construction of buildings and structures”, and which applied for the membership in the Partnership.

Partnership - Non-commercial Partnership “Sakhalin Regional Association of Constructors”

Direction – standing collective body of Partnership Administration.

Competency certificate – work competency certificate for the definite kind(s) of work, affecting the safety of capital construction projects, – it is the document which is executed by the Partnership and confirming the permission for Partnership Member to perform the said work.

3. REGULATORY DOCUMENTS

These Regulations are designed in compliance with the legislative and internal regulatory documents of the Partnership as follows:

- Town-Planning Code of the Russian Federation of 29.12.2004 №190-FZ
- Federal Law “On Non-commercial organizations” of 12.01.1996 № 7-FZ
- Federal Law “On Self-regulating organizations” of 01.12.2007 № 315-FZ
- Articles of association of the Partnership
- “Regulations of self-regulation, Requirements for the execution of the Competency Certificate” (ПП-05-09)
- “Rules of self-regulation. General Provisions” (ПП-06-09)

- "Rules of self-regulation. General requirements to the organization and performing of the construction work" (П-07-09)
- "Rules of self-regulation. General requirements to the organization and performing of the construction control" (П-08-09)
- "Rules of self-regulation. Requirements to the liability insurance" (П-03-08)
- "Regulations on the dues amount and payment procedure" (П-04-08)
- "Control rules in the sphere of self-regulation" (П-01-08)
- "Regulations on the disciplinary measures system " (П-03-08)

4. GENERAL PROVISIONS

- 4.1. Admission as a member of the Partnership is performed in compliance with the clause 55.6 of Town-Planning Code of the Russian Federation and these Regulations.
- 4.2. Candidate Member (Member) of the Partnership should comply with the terms, stipulated by the Articles of association, requirements of these Regulations as well as "Requirements for the execution of the Competency Certificate" for one or several kinds of work, which the intent to be engaged in it stipulated in the application documents.
- 4.3. Candidate Member (Member) of the Partnership has to follow the rules of self-regulation and standards, set by the relevant documents of the Partnership.
- 4.4. The Candidate Member (Member) of the Partnership pays dues in accordance to the "Regulations on the dues amount and payment procedure" as well as to the "Rules of property responsibility of the Members".
- 4.5. The Candidate Member of the Partnership has to read and understand the Articles of association of the Partnership, these Regulations, legislative and regulative documents in the sphere of self-regulation in civil construction, as well as the internal documents of the Partnership, published at the internet-site of the Partnership.
- 4.6. The data, presented by the Candidate Member of the Partnership, is to be obligatory checked following the procedure set herewith. The Partnership Member has to provide all necessary terms and to furnish all necessary information and documents for carrying out checking at admission as a member of the Partnership in accordance with the "Control rules in the sphere of self-regulation".
- 4.7. The Partnership maintains the registry of the Candidate Members and the registry of the Members of the Partnership in compliance with the Regulations П-05-08 "The procedure of maintenance of Candidate Members registry and Members registry".

5. THE PROCEDURE OF ADMISSION AS A MEMBER

- 5.1. At the Partnership office the free consulting is provided on the issues of entrance to the membership of the Partnership, the content of the document package and the procedure of its execution.
- 5.2. Submission of the needed for the admission as the Member of the Partnership documents is performed in the following way:

- 5.2.1. sending documents to the Partnership address by post, address is indicated at the site of the Partnership.
- 5.2.2. direct delivery of the documents to the office of the Partnership.
- 5.3. Acceptance of the documents is performed by the Control Department Staff, who are authorized by the Partnership Chief Executive officer to accept documents of such kind (hereinafter authorized persons).
- 5.4. If documents are received by post or if they were delivered directly:
 - 5.4.1. the application form is marked with the reference number;
 - 5.4.2. The inventory list for accepted documents is filled out.
- 5.5. If documents were delivered directly, the inventory list copy is testified by the authorized person and is given to the Candidate Member of the Partnership.
- 5.6. The authorized person within three days:
 - 5.6.1. checks the documents package content, if they are completed and executed fully and in the right way. On the basis of the result of the checking the authorized person executes the act of compliance of the submitted documents to the package content requirements (Act form is in the Schedule № 1);
 - 5.6.2. introduces the submitted documents together with the act to the Control Committee;
- 5.7. If documents does not comply with the requirements of the clause 6 hereof, the document acceptance refusal reasons are indicated in the documents acceptance act. The documents are considered as non-conforming (not submitted) if they are:
 - 5.7.1. not fully filled out;
 - 5.7.2. filled out or executed in the wrong way
 - 5.7.3. contain doubtful information;
 - 5.7.4. have non-mentioned corrections, erasures, additions;
 - 5.7.5. contain contradicting information
- 5.8. If the document package comply with the requirement of the clause 6 hereof, the authorized person:
 - 5.8.1. informs the Candidate Member of the Partnership and sends the invoice to him for paying of the entrance due. The Candidate pays the due as stipulated and sends the copy of the payment order to the e-mail address or fax of the Partnership
 - 5.8.2. enters the information about the Candidate to the Data System of the Partnership to include the said into the Candidate Members Registry of the Partnership (the content of the Candidates Registry and Members Registry is given in the Appendix № 1 the "Regulations on the data transparency and the procedure of maintenance of Candidate Members Registry and Members Registry" of the Partnership).
- 5.9. The data of the Candidate Members Registry is open and is to be published at the site of the Partnership.

- 5.10. Control Committee can order the inspection of the requirement compliance for the execution of Competency Certificates, as well as for the submitted documents data reliability.
- 5.11. The inspection is held in compliance with the current "Control rules in the sphere of self-regulation" (П-01-08) of the Partnership.
- 5.12. Control Committee prepares the offer for the Direction Meeting on the issue of the admission of a new member in compliance with the "Regulations on the Control Committee" no later then 20 (twenty) days after the receiving of the documents mentioned in the clause 6 hereof.
- 5.13. The decision on the issue of the admission of a new member of the Partnership or on the refusal to admit is made by the Direction. The term of making the relevant decision is within 27 (twenty-seven) days from the day of receiving documents, mentioned in the clause 6 hereof. Simultaneously with making decision on the issue of admission of a new member of the Partnership, the Direction makes the decision on the execution of the Competency Certificate for the Candidate. The introduction of the issue on the admission of new members to the Agenda of the Direction is not performed if there is no such an offer from the Control Committee.
- 5.14. The Direction processes the applications for the admission as a member of the Partnership, following the order of data entering into the Candidate Members of the Partnership Registry. The special processing of the applications for the admission as a member of the Partnership is made by the Direction as an exception.
- 5.15. Within three days after making he decision of the Direction, stated in the clause 5.13 hereof, the notification on the decision made is sent (delivered) to the Candidate Member. The Competency Certificate delivery means the notification about the decision made.
- 5.16. If it was decided to refuse the admission as a member of the partnership (the execution of Work Competency Certificate), the Partnership Candidate Member is notified about the grounds of the refusal. The ground for the refusal to admit the individual business or legal entity as a member of the Partnership are as follows:
- 5.16.1. Non-compliance of the individual business or legal entity with the requirements for the execution of the Competency Certificate for definite kind(s) of work, affecting the safety of capital construction projects and stipulated in the Partnership Candidate Member application;
- 5.16.2. the content of the presented by the Partnership Candidate Member documents package is not complete in compliance with the clause 6 hereof.
- 5.16.3. the Partnership Candidate Member obtains the same kind of Competence Certificate for definite kind(s) of work, affecting the safety of capital construction projects and stipulated in the Partnership Candidate Member application issued by the other self-regulating organization.
- 5.17. The Competence Certificate is issued for the entity admitted as the member of the Partnership within 3 (three) working days after the day of making the relevant decision, payment of entrance due, first membership due and due to the compensation fund.

- 5.18. On the day of making the decision on issuing for the Partnership Member the Competence Certificate for definite kind(s) of work, affecting the safety of capital construction projects, amendment of such Certificate, suspension, renewal, refusal of renewal or termination of the said Certificate the relevant information:
- 5.18.1. is published at the site of the Partnership in the Internet Network;
- 5.18.2. is entered into the Registry of the Partnership Members;
- 5.18.3. is sent to the self-regulating supervisory body in the form of notification about the decision made.
- 5.19. The data about the entity admitted as a member of the Partnership is entered into the Registry of the Partnership Members, following the procedure set by the "Regulations on the procedure of maintenance of Registers of Candidate Members and of Members" of the Partnership.
- 5.20. While the Partnership didn't receive the status of self-regulating organization the Direction makes the decision on the admission as the Partnership Member or non-admission as the Partnership member on the ground of the Chief Executive Officer introduction. The Candidate having applied the admission as a member considered to be the Partnership Member and is entered into the Registry of the Partnership Members if the Direction made the relevant decision, the entrance due, first membership due and due to the Compensation Fund were paid.
- 6. THE CONTENT OF THE DOCUMENT PACKAGE FOR THE ADMISSION AS A MEMBER**
- 6.1. To be admitted as a member of the Partnership the Candidate furnishes the following obligatory documents according to the forms shown in the Appendix № 1 hereto:
- 6.1.1. the application for the admission as a member of the self-regulating organization (according to the form №Ф01/П-01-08) along with the attached List of work kinds, affecting the safety of capital construction projects, which the Partnership candidate member intends to obtain permit for (according to the form №Ф02/П-01-08);
- 6.1.2. the copy of the document, proving the fact of the entry registration at the relevant state Registry about the state registration as an individual business or a legal entity (for Russian organizations and individual businesses);
- 6.1.3. duly testified translation into Russian language of the documents about the state registration of the legal entity, in accordance with the current law of the relevant state (for foreign legal entities);
- 6.1.4. copy of foundation documents (Articles of association, Deed of incorporation) for legal entity;
- 6.1.5. documents, confirming the Candidate Member compliance with the requirements for the issuing of Competence Certificate for the definite kind(s) of work, affecting the safety of capital construction projects according to the forms №Ф04/П-01-08, №Ф04А/П-01-08, №Ф05/П-01-08);
- 6.1.6. the copy of the Competence Certificate for the definite kind(s) of work, affecting the safety of capital construction projects, issued by the self-regulating

organization of the same kind, if the individual business or the legal entity is a member of another self-regulating organization of the same kind.

6.2. Foreign legal entities shall furnish documents stipulated in cls. 6.1.1, 6.1.4, 6.1.5 hereof in Russian language, which should be executed in compliance with the cl. 6.5 hereof. Copies of the documents, presented by the affiliates (agencies) of the foreign companies and stipulated in the cl. 6.1.3 are to be translated into Russian language, testified by the notary and legalized by the consular institutions of the Russian Federation abroad or apostilled (for the countries which are the members of the Hague Convention of 1961) and include without limitation to:

6.2.1. Articles of association of the foreign legal entity (if according to the law of the relevant state the Articles of association are not required, there should be furnished the document proving such legal regulation, issued by the authorized institution at the state of the registration);

6.2.2. Certificate (reference) from the tax institution of the foreign state of optional form about the registration of the foreign organization as a taxpayer in the country of incorporation with the taxpayer code indicated;

6.2.3. extract from the trade register of the country of registration, or certificate of incorporation, or other similar document, containing data about the body, which registered the organization and the registration number, date and place of registration;

6.2.4. extract from the bank register or bank references;

6.2.5. the decision of the authorized body of the foreign organization about the foundation of the division in the Russian Federation (affiliate or agency);

6.2.6. General Power of Attorney, issued by the foreign organization to the Head (manager) of the Russian affiliate (agency).

6.2.7. Permit on the founding of the agency at the territory of the Russian Federation, issued by the State Registration Chamber at the Ministry of Justice of the Russian Federation.

6.2.8. Certificate of Record to the State Register of accredited on the territory of the Russian Federation agencies of foreign companies issued by the State Registration Chamber at the Ministry of Justice of the Russian Federation.

6.2.9. Certificate of Record of the affiliate (agency) in the tax institution of the Russian Federation with the INN code and KPP code of the foreign legal entity indicated.

6.2.10. Regulations about the affiliate (agency) of the foreign legal person with indication of:

6.2.11. the name of the affiliate and its parent organization;

6.2.12. form of incorporation of the parent organization; location place of the affiliate (agency) at the territory of the Russian Federation and legal address of the parent organization;

6.2.13. objectives of foundation and kinds of activities of the affiliate (Agency)

6.3. In addition, the Partnership Candidate Members shall voluntarily furnish the information in compliance with the forms, given in the Appendix 1 hereto as follows:

- 6.3.1. Questionnaire (№Ф-03/П-01-08);
- 6.3.2. Data on civil construction activities and professional image (№Ф-06/П-01-08);
- 6.3.3. Data about the Quality Control System and Civil Construction Control (№Ф-07/П-01-08);
- 6.3.4. Data about the labour protection and environment protection systems (№Ф-08/П-01-08);
- 6.3.5. Financial and economic information (№Ф-09/П-01-08);
- 6.3.6. Inventory list of the documents (№Ф-10/П-01-08).
- 6.4. Statements and other documents, submitted to the Partnership in the other form before these Regulations entered into effect are valid and are not the subject of the substitution, if they meet the requirements hereof.
- 6.5. The submitted documents should comply with the following requirements:
- 6.5.1. The document package should be stitched in the file folder (the thickness of the package not less than 50 mm)
- 6.5.2. each document prepared by the Candidate is testified by the signature of the Head, with the signature decrypted, his position indicated as well as date of signing set. The document should be sealed with the seal of organization;
- 6.5.3. copies of the confirming documents (Articles of association, license, etc.) are testified with the text "true copy", (stitched and testified on the back side of the document with the text "stitched, sealed and numbered ___ pages" in case if the document has more than one page), the signature of the executive officer with the indication of his position and decryption of his full name, with the indication of date and attachment of the seal of organization.
- 6.5.4. Any corrections in the document are not acceptable.
- 6.6. All documents are submitted in hard copy. Documents prepared in accordance with the forms №Ф02-Ф09 are to be additionally furnished to the Partnership in electronic form. Documents are submitted in one copy.
- 7. DOCUMENT ACCEPTANCE PROCEDURE AT INTRODUCTION OF AMENDMENTS INTO THE COMPETENCY CERTIFICATE**
- 7.1. To make amendments to the Competency Certificate, the Partnership Members shall furnish the "Statement for the introduction of amendments into Competence Certificate" according to the form №Ф01А/П-01-08 (Appendix 1 hereto).
- 7.2. If any kind(s) of work affecting the safety of capital construction projects is excluded, the Partnership Member is obliged to indicate in the statement the kind(s) of work or kind of product (service) to be excluded from the Competence Certificate.
- 7.3. If new kinds of work are to be added, the statement is submitted with the following documents attached, according to the forms №Ф02/П-01-09 "Kinds of work for the Competence Certificate", №Ф04/П-01-08, "Information about administration and staff qualification ", №Ф04А/П-01-08, "Information about staff on each kind of work" according to the clause 6 hereof.
- 7.4. The further procedure on the amending the Competence Certificate is followed in compliance with the provisions of clause 5 hereof.

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7.5. If the competence Certificate is amended the Partnership Member does not obtain a new one. The actual information about the kinds of work, which the mentioned Member has the permit for, is published at the site of the Partnership for free access.

8. MISCELLANEOUS PROVISIONS

8.1. According to the requirements to the liability insurance of the Partnership Members, each Member has to insure its liability within 1 (one) month after the Competence Certificate for the definite kind(s) of work is obtained. If the said requirement is not fulfilled, the disciplinary measures approved in the Partnership are used, up to the cancellation of the Membership.

8.2. At obtaining by the Partnership the status of self-regulating organization the individual businesses and the legal entities that are at the date of obtaining of the mentioned status the Members of the Partnership don't receive the Competence Certificates for the work, affecting the safety of capital construction projects. The mentioned entities are obliged to get such Competence Certificates within one month from the day of obtaining by the Partnership the status of self-regulating organization following the procedure set herein. To obtain the Competence Certificate such Partnership Members are obliged to provide the additional documents, stipulated in the cl. 7.3.

8.3. For the Partnership to comply with the provisions of the Transparency Act, the Partnership Member should confirm its consent for its information to be published if it is required by the transparency legislation requirements. The Partnership Member (the Candidate Member) is obliged to notify in writing about its consent for the Data System (Data Base) processing the information it provides to the Partnership, as well as for publishing the additional information, which is free of the confidential data, about the activity of the Partnership Candidate Member at the site of the Partnership.

8.4. The Partnership is not entitled to publish the following data:

- 8.4.1. personal information about the staff and authorized people of the Partnership Member (Candidate Member);
- 8.4.2. financial and economic information about the Partnership Member (Candidate member) activity;
- 8.4.3. other information, which is confidential and is a trade or state secret.

9. MANAGEMENT BY THESE REGULATIONS

9.1. These Regulations enter into effect from the moment of their acceptance (approval) by the General Meeting of the Partnership Members, and the part of Regulations concerning the self-regulating organization after the Partnership obtains the status of the self-regulating organization.

9.2. The Controlled Copy of the Regulations is stored at the Administration's of the Partnership.

9.3. When Regulations are accepted (approved), as well as when the amendments are made, the document is to be published at the site of the Partnership within 3 (three) days from the day of acceptance (approval).

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10. THE LIST OF AMENDMENTS REGISTRATION

Revision №	Date of revision approval	The amendment content
0	02.12.2008	The primary revision
1	20.02.2009	Changes at the Appendixes forms. Corrections in accordance with the new revision of the Articles of Association.

The Head of the Direction of Non-Commercial Enterprise “Sakhalinstroy” _____ Zalpin A.R
L.S.