

April 2018

PwC Azerbaijan Times

Issue №5

Overview of this Issue:

- **Approval of Regulations on Board of Appeal**
- **Decision of Cabinet of Ministers on Requirements about special smoking areas**



pwc

For any questions related to the information included herein, please contact:

Arif Guliyev, Managing Director, Tax & Legal Services Leader

arif.guliyev@pwc.com

Samir Hadjiyev, Director, Head of Legal Practice

samir.hadjiyev@pwc.com

Aysel Suleymanova, Marketing & Communications Leader

aysel.suleymanova@pwc.com

PwC Azerbaijan

The Landmark Office Plaza III | 12th Floor
90A Nizami Street
AZ1010 Baku | Azerbaijan

Tel: +994 12 497 2515

Fax: +994 12 497 7411

www.pwc.com/az



© 2018 PwC. The material contained in this alert is provided for general information purposes only and does not contain a comprehensive analysis of each item described. No representation/warranty is given as to the accuracy or completeness of the information in the publication. Before taking (or not taking) any action, readers should seek professional advice specific to their situation. No liability is accepted for acts or omissions taken in reliance upon the contents of this alert.

Approval of Regulations on Board of Appeal

Aforementioned Regulations on Boards of Appeal under the President of the Republic of Azerbaijan, of local and central executive authorities have been approved. According to the Regulations, persons dealing with commercial activities may lodge an appeal against the decisions, actions or non-actions (which have been held with regard to the person's commercial activities) of local and central executive authorities to those state bodies' Board of Appeal in accordance with rules defined under the Regulations. It might be possible to make an appeal against the decisions, other actions or non-actions to the Board of Appeal under the President which have been upheld by Boards of Appeal of local and central executive authorities in respect of applications lodged previously.

Decision of Cabinet of Ministers on Requirements about special smoking areas

According to the Requirements, the following requirements have been defined:

a) Requirements concerning specially designated closed areas for tobacco smoking

Specially designed closed areas for tobacco smoking (hereinafter referred to as special closed spaces) are intended only for smokers (all kinds of hookahs and electronic cigarettes are also subject to tobacco products within the scope of these requirements) and meet the following requirements:

- special closed areas should be located outside the building, away from public places of entrance-exit, public gathering, leisure and waiting areas;
- special places should be completely isolated, entrance and exit should be through one door;
- the materials used for the construction and installation of special closed spaces should be fire-resistant, inner and outer surfaces should be resistant to easy washing and cleaning detergents and disinfectants;
- special closed areas should be equipped with automatic or self-closing doors that are opened and closed;

Issue № 5

- printed and other educational materials regarding tobacco smoking and detriment of tobacco smoking to health should be placed in areas of special closed places;
- mottoes or signs such as “Place specially designated for tobacco smoking”, “Smoking is harmful for your health” and “Entrance is prohibited for the persons under 18” should be placed at the entrance of specially closed areas;
- security requirements should be met and fire prevention facilities should be installed in special closed places;
- special ashtrays (waste containers) made of metal should be placed in special closed areas to collect cigarette butts or any part thereof as well as other tobacco products;
- special closed areas should meet sanitary and hygienic standards and regular cleaning should be conducted at these places;
- ashtrays envisaged for tobacco products and other trash cans which can be used for this purpose should be regularly disposed in containers designed for domestic waste and discharged from places where the tobacco is prohibited.
- specially designated closed areas should be equipped with ventilation system.

The ventilation system should meet the following requirements:

- special closed areas should be kept under negative air pressure in comparison with the areas where smoking is prohibited. Mechanical system should operate during all working hours to create negative air pressure;
 - air removed by mechanical ventilation system from the special closed system should not mixed with ventilation and air-conditioning system of other non-smoking places;
 - mechanical ventilation system should provide change of air at the special closed areas at least 10 times within an hour;
 - air removed by means of mechanical system from the entrance or exit of the premises, windows and the places with clean air received to ventilation systems should be discharged up to the level of roof in accordance with the engineering-communication requirements of construction facilities.
- b) Requirements concerning specially designated open smoking areas*
- Specially designated open spaces for tobacco smoking (hereinafter referred to as "special open places") are intended only for smokers (all kinds of hookahs and electronic cigarettes are also considered as tobacco products within the scope of these requirements) and should meet the following requirements:
- special open areas for tobacco smoking should be placed outside the entrance and exits of the buildings;
 - "smoking area" sign should be placed in special open spaces;
 - special ashtrays (waste containers) made of metal should be placed in the special open areas for cigarette butts or any part thereof, as well as for other wastes of tobacco products;
 - it is prohibited to throw away cigarette butts or any part of it, as well as any other wastes of tobacco products outside the envisaged areas;
 - compliance of special open areas with the sanitary and hygienic standards and regular cleaning works should be ensured.