

OSS Decision Outline/ Matrix

Drawing upon the WBI Report “Improving Business Registration in Tajikistan Through the Establishment of a One-Stop Shop: Options for Reform” and the outputs of the OSS Workshop held on March 11-12, 2008 in Dushanbe, the following outline/ matrix establishes key issues that should be decided before a donor can commit funds and start a OSS project.

I. Endorse the Proposed Founding Principles for a New Model

- Transparency
- Accountability and client orientation
- Accessibility
- Simplicity, clarity, predictability, equality
- Speed
- Low costs
- Technical, not legal process
- Licensing ex - post
- Openness of the Register
- Reliance on IT/IS

II. Choose Model and Implementation Basics

On the basis of the OSS Workshop (March 11-12, 2008), some key decisions were made on the model and some details. A Single Business Registry model was chosen.¹

For Single Business Registry OSS, there are a few key decisions that should be taken. Some of these issues were discussed and some consensus reached during the March 2008 OSS Workshop. The OSS report highlights the key decisions.

The Working Group should considering endorsing the outcomes of the OSS Workshop and recommend one preferred option for Decision 1 and Decision 2 (as listed below and expanded in the OSS Options report).

Decision 1: Single Business Registry (backoffice) placed within:

- | |
|---|
| <ul style="list-style-type: none">A. GoscomInvestB. MoJC. State Statistics Agency, Tax Committee or Ministry of Economy |
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¹ The OSS Options paper lays out 3 possible models. The Summary Matrix in the OSS report provides a good overview.

<p>Decision 2: Physical Entry points (where entrepreneur will go to register):</p> <ul style="list-style-type: none"> A. Amonatbank B. State Statistics Agency C. Tax Committee D. Public Notaries E. Social Security F. New system of agencies (expensive) G. Some combination of above, as contracted service providers <p><i>Although the OSS Workshop did not make a decision about the Physical Entry points, the Workshop agreed that business registration should be a technical rather than a legal matter so no legal option should be required (currently registration requires Ministry of Justice's legal opinion) no notarization should be required for business registration.</i></p>
<p>Decision 3: Establish Single Registration Number:</p> <ul style="list-style-type: none"> A. Introduce new unique number B. Combine several existing codes <p><i>OSS Workshop agreed the number of registration numbers should be reduced to a maximum of 2 (currently businesses need to get a business registration number, a tax identification number, a statistical office number and a social security and pension number)</i></p>
<p>Decision 4: Simplify Licensing</p> <ul style="list-style-type: none"> ▪ Reduce or abolish pre-registration licensing. ▪ Require self-certification for activities of concern.
<p>Decision 5: Reduce Statutory/ Founding Capital</p> <ul style="list-style-type: none"> ▪ Abolish requirement for founding capital ▪ Significantly reduce to token amount (because abolishing would require many legal alterations) <p><i>OSS Workshop found that Registration capital should be reduced to a nominal minimum.</i></p>
<p>Decision 6: Alternations require notification rather than re-registration.</p> <p><i>OSS Workshop agreed that re-registration of businesses should be abolished.</i></p>
<p>Decision 7: Apply 'Silence is Consent' timeframes to Registration.</p> <p><i>OSS Workshop agreed that "silence is consent" principle should be applied in the OSS although no specific time limit was agreed.</i></p>

In addition, the OSS Workshop agreed that:

- The number of documents required for business registration should be reduced and preferably a standardized single registration application form should be adopted
- The OSS should be initially limited to business (commercial) registration (e.g., excluding Dehkan farms and nonprofit organizations)

III. Quantify outcome that includes time and steps: Quantifying the amount of time and number of steps that will be required for business registration through the OSS would provide a quantifiable target for the project and the reform effort. For example: “When the OSS is implemented, an entrepreneur can register a business by visiting one office, filling out one registration application form, and the process will be completed within 5 days by which time s/he receives a unique registration number for use in all government transactions.”

