

**LAW OF THE REPUBLIC OF TAJIKISTAN
ON EXTERNAL ECONOMIC ACTIVITY IN
THE REPUBLIC OF TAJIKISTAN**

(in edition of the Law No.3 of the Republic of Tajikistan as of February 28, 2004)

Annotation

The Law of the Republic of Tajikistan on External Economic Activity of the Republic of Tajikistan enacted in December 27, 1993, consists of 4 Chapters and 20 Articles. The Law determines general regulations of such activity in the Republic of Tajikistan, determines the procedure of implementation and state regulation of external economic activity in the Republic of Tajikistan. The Law specifies guarantee of rights and responsibility of subjects of the activity, and determines the procedure of dispute resolution.

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The present law defines the external economic relations of the Republic of Tajikistan, and in accordance with international law, insures the protection of the rights, interests and property of participants i

those of legal and physical persons of the Republic of Tajikistan abroad;

the territory of the Republic of Tajikistan;

f) The representation in international economic organizations and unions;

g) Any other functions as ensured by the Constitution of the Republic of Tajikistan and other laws of the Republic of Tajikistan.

Article 3 The basic principles of relationships between the Republic of Tajikistan and foreign states and their legal and physical persons in the sphere of external economic activities

The Republic of Tajikistan carries out external economic activities according to the following principles:

a) Mutually beneficial cooperation with all states, foreign legal and physical persons and international organizations;

b) Equality of the parties;

c) Non-intervention in the internal affairs of participants in external economic relations;

d) Fulfillment of mutual obligations accepted under agreements with foreign states, their legal and physical persons and international organizations;

e) Compliance with other international rules, regulations and terms.

Article 4 Objects of external economic activities

Objects of external economic activity in the Republic of Tajikistan include the resources of all types created in all areas and spheres of the national economy, including labor resources, goods and services, securities, scientific and technical production, investments, intellectual property and other valuables, except for those objects forbidden by the legislature of the Republic of Tajikistan to be used in the foreign economic activity.

Article 5 Participants in external economic activity

Participants in external economic activities in the Republic of Tajikistan, regardless of property status may be legal and physical persons, including foreigners as well as international organizations acting in the territory of the Republic of Tajikistan or abroad, after they have completed the required registration procedures in the Republic of Tajikistan (The Law No.3 of the Republic of Tajikistan as of February 28, 2004).

Article 6 Legislature of the Republic of Tajikistan regulating external economic activity of the Republic of Tajikistan

Legislature of the Republic of Tajikistan regulating external economic activity of the Republic of Tajikistan is based on the Constitution of the Republic of Tajikistan and consists of the present Law, other normative legal acts of the Republic of Tajikistan as well as international legal acts recognized by the Republic of Tajikistan (The Law No.3 of the Republic of Tajikistan as of February 28, 2004)

THE IMPLEMENTATION OF EXTERNAL ECONOMIC ACTIVITIES

Article 7 The rights of participants in external economic activities

Participants in external economic activities have rights to carry out external economic activities regardless of ownership form and the type of external economic activity.

Article 10 Representation of foreign states for trade and economic matters

Foreign states may establish representations for trade and economic matters. The scope of their activities is defined by each foreign state; their functioning shall be carried out in accordance with the legislation of the Republic of Tajikistan.

Article 11 Representations of enterprises, organizations, and foreign states in the Republic of Tajikistan and representations of the Republic of Tajikistan, its enterprises and organizations abroad for trade and economic matters

The Republic of Tajikistan and its legal and physical persons may establish representations abroad; and legal and physical persons of any foreign state may establish representations in the Republic of Tajikistan. The procedures for the opening and functioning of these representations are set by the Government of the Republic of Tajikistan. (The Law No.3 of the Republic of Tajikistan as of February 28, 2004)

Article 12 External economic activities in the territory of the Republic of Tajikistan with the participation of foreign legal and physical persons

12.1 Enterprises, international economic and financial organiza

- Elaboration, financing and conducting of assessments of target complex programs for the development of different forms of external economic relations in the Republic of Tajikistan;
- Expertise of contracts, treaties, agreements and other legal documents affecting the economic interests of the Republic of Tajikistan;
- Declaration of imported and exported goods and property in the Republic of Tajikistan;
- Establishment of regulations on the export and import of products (works and services);
- Formation and use of currency and other funds.

Article 14 Direction and management of external economic activities

14.1 The general supervision of external economic activities is conducted by the Government of the Republic of Tajikistan in a common direction.

14.2 The Ministry of External Economic Relations of the Republic of Tajikistan carries out the organization, coordination and control of the activities of participants in the external economic relations, regardless of their ownership form as well as the granting of economic assistance to the Republic of Tajikistan by foreign organizations, legal and physical persons.

Article 15 Currency self-sufficiency

15.1 All currency expenses of the participants in external economic activities are provided by profits and other sources of currency permitted by law.

15.2 The foreign credits must be repaid from the income of participants in external economic activities.

CHAPTER IV GUARANTEES OF THE RIGHTS AND RESPONSIBILITIES OF THE PARTICIPANTS IN EXTERNAL ECONOMIC ACTIVITIES

Article 16 Guarantees of the rights and interests of the participants in external economic activities

16.1 The Republic of Tajikistan guarantees the legal rights and interests of the participants in external economic activities.

16.2 If the acts adopted by the governmental agencies of the Republic of Tajikistan infringe the rights of participants in external economic activities determined by this law, the incurred damages must be recompensed by the respective agencies through court proceedings, in accordance with the laws of the Republic of Tajikistan and international law.

Article 17 Suspension and termination of foreign economic activity

Activity of external economic subjects in presence of unfair competition or in case if their activity damages the interests of the Republic of Tajikistan shall be suspended in accordance with the legislature of the Republic of Tajikistan (The Law No.3 of the Republic of Tajikistan as of February 28, 2004).

RESOLUTION OF THE SUPREME COUNCIL
OF THE REPUBLIC OF TAJIKISTAN

ON ENACTING THE LAW OF THE REPUBLIC OF TAJIKISTAN ON
EXTERNAL ECONOMIC ACTIVITY OF THE REPUBLIC OF TAJIKISTAN

Supreme Council of the Republic of Tajikistan resolves:

1. To put into force the Law of the Republic of Tajikistan on External Economic Activity of the Republic of Tajikistan from the moment of its publication.
2. The Council of Ministers of the Republic of Tajikistan to take necessary decisions, providing the realization of the Law of the Republic of Tajikistan on External Economic Activity of the Republic of Tajikistan

Chairman of the Supreme Council
of the Republic of Tajikistan

E. Rahmonov

December 27, 1993

Dushanbe