

THE LAW OF THE REPUBLIC OF TAJIKISTAN «ON PROVISION OF SANITARY-EPIDEMIOLOGICAL SECURITY OF THE POPULATION»

This Law establishes legal, organizational and economic foundations, measures related to the provision of sanitary-epidemiological security of the population of the Republic of Tajikistan.

Chapter I. GENERAL PROVISIONS

Article 1. Main Concepts

The following concepts shall be used in this Law:

— sanitary — epidemiological security of the population — health status of the population and state of human environment, where no adverse health effects of environment exist, and favorable conditions for vital activity are provided;

— human environment — composition of objects, occurrences and factors of environment (natural and artificial), determining conditions for human vital activity;

— environmental factors — biological (viral, bacterial, parasitic, and other), chemical, physical (noise, vibration, ultrasound, infrared, thermal, ionizing, non-ionizing, and other irradiation), social (nutrition, water supply, domestic conditions, labor, recreation), and other environmental factors, which influence or can affect people and health status of future generations;

— harmful effect on people — influence of environmental factors that creates life threat to the lives of health of people or future generation;

— favorable conditions for human vital activity — environment status, when there is no harmful exposure to its factors for people (harmless conditions) and there are chances to rehabilitate abnormalities of the human bodies' functions;

— harmless conditions for people — status of environment, when there is no harm of dangerous effect on people; legal regulations and standards — legal acts establishing sanitary-epidemiological requirements (including security criteria and/or environmental security factors of environment for people, hygienic and other standards), violation of which creates threat to the life health of people, as well as threat of beginning and communication of diseases;

— social-hygienic monitoring

— infection diseases— infection diseases of people beginning and communication of which is conditioned by the effect on people of biological factors of environment (incitants of infection diseases) and possibility to transfer the

- implementation of sanitary-epidemiological (preventive) measures and compulsory compliance with all sanitary norms and rules by individuals and legal entities as a part of their activities;
- creation of economic interest of the citizens, individual entrepreneurs and legal entities, foreigners and persons with no citizenship in conformity with the legislation in the sphere of the sanitary-epidemiological security of the population; provision of measures to call them to account for sanitary violations in the sphere of sanitary-epidemiological security of the population;
- state sanitary-epidemiological regulation;
- state sanitary-epidemiological control, production and general monitoring;
- certification of products, works and services, representing a potential threat to the lives and health of people;
- issue of sanitary-epidemiological conclusion on all activities representing threat to the lives and health of people and status of environment;
- state registration of potentially harmful chemical and biological substances, certain types of products, radioactive matters, production waste and consumption of available, as well as imported types of products;
- conducting of social-hygienic monitoring;
- scientific research in the sphere of provision of sanitary-epidemiological security;
- measures on timely information of the population on beginning of infection diseases, mass non-infection diseases (intoxications), status of environment and sanitary-epidemiological (preventive) measures being conflicted;
- measures on hygienic education of the population in propaganda of healthy life.

Article 4. Competence of the Government of the Republic of Tajikistan in Provision of Sanitary-Epidemiological Security of the Population

The following shall be included in the competence of the Government (the Republic of Tajikistan in provision of sanitary-epidemiological security):

- identification of unified state policy in provision of sanitary-epidemiological security of the population;

- coordination and control of enterprises, organizations and institutions on the subordinate territory regardless of the forms of property provision of sanitary-epidemiological security of the population within their competence;
- participation of the population in protection preservation and enhancement of their own health and health of the people around through sanitary-hygienic anti-epidemic (preventive) measures, including compliance with sanitary-epidemiological requirements to environment, construction of settlements, water supply sources and systems construction and exploitation of residential, public and other objects on subordinate territories;
- provision of measures on reduction of factors negatively influencing health of the population and conducting of measures on their elimination;
- measures on hygienic education of the population, propaganda of healthy life style;
- establishment of management bodies and strengthening of material-technical base of the sanitary-epidemiological services on subordinate territory;
- formulation of own budget for operations of the sanitary-epidemiological service on subordinate territory, including training and retraining of experts in sanitary, hygiene, epidemiology, as well as organization of scientific research on actual health problems in provision of sanitary-epidemiological security of the population;
- implementation of other competences envisaged by this Law and other laws of the Republic of Tajikistan.

Chapter II. RIGHTS AND OBLIGATIONS OF CITIZENS, INDIVIDUAL ENTREPRENEURS AND LEGAL ENTITIES IN PROVISION OF SANITARY-EPIDEMIOLOGICAL SECURITY OF THE POPULATION

Article 7. The Rights of the Citizens of the Republic of Tajikistan

The citizens of the Republic of Tajikistan shall have the following rights:

- the right of favorable environment (nature environment, conditions of work, life, rest, upbringing and education, nutrition, products consumed or used) factors of which shall not have dangerous and adverse effects on human bodies and future generations;
- the right to receive full and reliable information on sanitary-epidemiological situation, status of environment, quality and safety of production-technical products, food products, fresh water, goods for personal everyday use, works and services potentially dangerous for health, current sanitary regions, measures taken to provide sanitary-epidemiological security of the population and results from local authorities, sanitary services, state sanitary-epidemiological service of the Republic of Tajikistan and legal entities within their competence and in accordance with the legislation of the Republic of Tajikistan;
- the right to implement public control over compliance with the sanitary regulations and norms;
- the right to make proposals to local authorities and state sanitary-epidemiological services of the Republic of Tajikistan on provision of sanitary-epidemiological security of the population;
- the right to take part in development programs and actions to provide sanitary-epidemiological security of the population with the local authorities;
- the right of compensation in the established order the damages caused to their health and property in the result of violations of legislation in the field of sanitary-epidemiological security of the population by other citizens, individual entrepreneurs and legal entities, that entailed emergence of infection diseases and intoxication of people, as well as professional diseases.

Foreign citizens and non-citizens in the territory of the Republic of Tajikistan shall enjoy

Individual entrepreneurs and legal entities shall have the following rights:

- to receive, upon agreement and in accordance with the legislation of the Republic of Tajikistan, in local governments, state sanitary-epidemiological institutions of the Republic of Tajikistan, information on sanitary-epidemiological situation, status of environment, current sanitary rules on incidence;
- take part in development programs and actions to provide sanitary-epidemiological security of the population together with the local governments;
- the right of compensation for the damage to their property caused by violation of the legislation in the sphere of sanitary-epidemiological security of the population by individuals and legal entities, as well as during implementation of sanitary-anti-epidemic (preventive) measures, in the order established by the legislation of the Republic of Tajikistan.

Article 9. Obligations of the Citizens of the Republic of Tajikistan

The citizens of the Republic of Tajikistan shall be obliged:

- to comply with the legislation requirements on sanitary-epidemiological security of the population, as well as resolutions, decrees, orders and sanitary-epidemic conclusions of officials in charge of the state sanitary-epidemic control;
- take care of the health status, health of family members and dissemination of sanitary-hygienic knowledge and experience among the family members, using the possibility to form healthy life;
- not to commit actions entailing violation of the rights of other citizens for health protection and favorable environment;
- conduct and take part in hygienic and anti-epidemic measures;
- compensate in the established order the damage caused to the health of other citizens due to violation of the legislation in the field of sanitary-epidemiological security of the population in the Republic of Tajikistan.

Article 10. Obligations of Individuals and Legal Entities

In accordance with their operations individuals and legal entities shall be obliged:

- to comply with the requirements of the legislation in provision of sanitary-epidemiological security of the population, as well as resolutions, decrees, instructions and sanitary-epidemiological conclusions of officials in charge of the state sanitary-epidemiological control, including suspension and cessation of functioning of objects and technologies under construction and reconstruction in violation of sanitary regulations;
- comply with the requirements of the legislation in provision of sanitary-epidemiological security of the population, as well as resolutions, instructions, decrees and sanitary-epidemiological conclusions of the officials in charge of state sanitary-epidemiological control, including suspension or cessation of functioning of objects and technologies under construction in violation of sanitary norms and regulations;
- develop and conduct (take part in conducting) of sanitary-hygienic and antiepidemic measures aimed at prevention and liquidation of pollution of the environment, improvement of work conditions, life and rest of employees, prevention of occurrence and communication of diseases;
- ensure security of health, services, as well as production-technical products, food products and goods for personal and everyday needs, in production, transportation, safekeeping, sale to population;
- observe sanitary norms and regulations in production, purchase, storage, transportation, sale of food products and drinking water, food supplements, inputs and materials contacting with them, as well as measures to ensure quality;
- implement production control, including laboratory research, testing, of compliance with the sanitary norms and regulations, and sanitary-anti-epidemic (preventive) measures in implementation of works and services, as well as production, transportation, storage and sale of products;

- conduct works «to provide security of few types of products and production technologies, security criteria and/or security of environmental factors, and develop environmental monitoring methods;
- timely information of the population, local authorities, bodies and institutions of state sanitary-epidemiological services of the Republic of Tajikistan on emergency situations, production stopping, violations of technology processes creating threat to sanitary-epidemiological security of the population;
- to timely have officially issued sanitary rules and environmental monitoring methods;
- implement hygienic education of workers aimed at increase of sanitary culture and formation of healthy life;
- compensate, in the established order, the damage caused to the health of workers and population in the result of violation of the legislation of the Republic of Tajikistan in provision of sanitary-epidemiological security of the population;
- ensure implementation of the rights of the citizens and other subjects of legal relations envisaged by this Law.

Chapter III. REQUIREMENTS IN PROVISION OF SANITARY-EPIDEMIOLOGICAL SECURITY OF THE POPULATION

Article 11. Sanitary-Epidemiological Requirements to Planning and Development of Settlements

Planning and development of settlements shall envisage creation of more favorable living and health conditions, complex accomplishment of towns and other settlements, prevention and liquidation of harmful effect of environment

products and take measures to apply (use) fresh products for purposes excluding harm to people in case if the products do not comply with the sanitary norms and regulations.

Article 13. Sanitary-Epidemiological Requirements to Potentially Dangerous Chemical, Biological Substances and Certain Types of Products

Potentially dangerous chemical and biological substances and certain types of products shall be allowed for production, transportation, purchase, storage, sale and application (use) after their registration in accordance with this Law.

Article 14. Sanitary-Epidemiological Requirements to Food Products, Food Supplements, Food Primary Products, as well as Contacting Materials, Goods and Production Technologies

Food products shall satisfy physiological demands in substances and energy, shall be compliant with the food product requirements part of organoleptic and physical-chemical characteristics and comply with the established requirements to the acceptable content of chemical (including radioactive), biological substances and their compounding, microorganisms and other biological organisms representing harm to health, shall not cause adverse effect to health.

Food products, food supplements, food resources as well as contacting materials and products shall comply with the established sanitary norms and regulations in the process of their production, storage, transportation and sale to population.

Production, application (use) and sale to the population of available, as well as of new types (designed and introduced in production for the first time) of food products, food supplements, food resources, as well as contacting materials and products, introduction of new technology processes of production and technological equipment shall be allowed in the presence of sanitary-epidemiological conclusions on the sanitary norms and rules.

Import, sale and use of products produced both in the Republic of Tajikistan and abroad shall be allowed only in the presence of a certificate in accordance with the legislation of the Republic of Tajikistan.

Food products, food supplements, food resources as well as contacting materials and products not complying with sanitary norms and regulations and representing harm shall be immediately taken out of production by decision of the state authority.

Food products, food supplements, food resources as well as contacting materials and products taken out of production shall be used by their owners for purposes excluding harm to people, or shall be disposed.

Article 15. Sanitary-Epidemiological Requirements to Products Imported to the Territory of the Republic of Tajikistan

Products imported to the territory of the Republic of Tajikistan by citizens, individuals and legal entities, application and use of which require direct participation of people, shall comply with the sanitary norms and regulations, as well as international requirements of security.

Products indicated in the part one of this Article shall be allowed for import to the territory of the Republic of Tajikistan in the presence of the sanitary-epidemiological conclusion on their compliance with the sanitary norms and regulations.

Certain types of products imported to the territory of the republic for the first time, the list of which is established by the Government of the Republic of Tajikistan, shall be subject to the state registration in accordance with the legislation before the import to the territory of the republic.

Individuals and legal entities implementing signing of agreements (contracts), delivery and sale of each consignment of such products in the Republic

the population to prevent occurrence and communication of infection diseases and mass non-infection diseases (intoxications) all be implemented in accordance with the sanitary norms and regulations.

Security criteria of the free air in settlements, on industrial territories, air in places of permanent and temporary residence, including maximum concentration limits of chemical, biological substances and microorganisms in the air shall be established by the sanitary norms and regulations.

Norms of maximum permissible emissions of dust, chemical, biological substances and microorganisms in the air, projects of sanitary protection zones shall be approved by the Government of the Republic of Tajikistan in the established order.

Local governments, individuals and legal entities shall be obliged to implement actions to prevent and liquidate air pollutions in places of permanent or temporary residence, adverse effects of physical factors, which negatively influence health of people.

Article 20. Sanitary-Epidemiological Requirements to Soil, Maintenance of Territories of Settlements and Industrial Areas

The content of potentially dangerous chemical and biological substances and microbiological organisms, as well as the background radiation of the soil of settlements and agricultural lands shall not exceed maximum admissible concentration (levels) established by the sanitary norms and regulations.

Conditions of maintenance of territories of settlements and industrial areas shall comply with the sanitary norms and regulations.

Order and conditions of maintenance of the territories of settlements shall be established by the Government of the Republic of Tajikistan.

In accordance with their powers, local governments, individuals and legal entities shall be obliged to implement actions to prevent and

the Republic of Tajikistan.

Individuals and legal entities shall be obliged to suspend or stop the operations or work of certain workshops, areas, exploitation of buildings, installations, equipment, air, water, and land transport, implementation of certain types of work and services in cases when sanitary norms and regulations are violated.

Article 25. Sanitary-Epidemiological Requirements to the Education Conditions

Conditions shall be provided for infant schools, sanatoriums, schools, higher and secondary educational establishments, technical colleges, enterprises and organizations, regardless of the organizational-legal forms, implementing education and professional training to maintain and strengthen health of the citizens and prevent diseases, including measures for arranging catering and implementation of legislation on sanitary-epidemiological security.

Programs, methodology and regimes of education, technical, audiovisual and other facilities for training and education, furniture, as well as textbooks and other publishing products shall be approved given sanitary-epidemiological conclusions on their compliance with the sanitary norms and regulations.

It shall be prohibited to use educational and training facilities, furniture not complying with the state standards, sanitary norms and regulations in schools and infant schools.

Chapter IV. SANITARY-HYGIENIC AND ANTIEPIDEMIC (PREVENTIVE) MEASURES

Article 26. Organization and Implementation of Sanitary-Hygienic and Anti-epidemic Measures

Necessary complex organizational, engineering and technical, medical and preventive, sanitary-hygienic and antiepidemic measures including implementation of sanitary protection of the territory of the Republic of Tajikistan, introduction of restrictive measures (sequestration), implementation of production control, measures for the people with infectious diseases, medical examinations, preventive vaccinations, hygiene education and training of citizens shall be implemented in a timely and full manner with the purpose to prevent occurrence and communication of infection and mass infection (intoxication) diseases.

Sanitary-hygienic and antiepidemic measures shall be obligatory for implementation by individuals and legal entities in accordance with their activities, as well as in cases envisaged by this Law.

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Article 27. Sanitary Protection of the Territory of the Republic of Tajikistan

Sanitary protection of the territory of the Republic of Tajikistan shall be aimed at prevention of carrying and communication of infection diseases in the territory of the Republic of Tajikistan, that represent harm for the population, as well as prevention of import to the territory of the Republic of Tajikistan of goods, chemical, biological and radioactive substances, waste and other items harmful for the people (further dangerous goods and commodities).

The list of infection diseases requiring sanitary protection measures in the territory of the Republic of Tajikistan shall be identified by the State Sanitary-Epidemiological Control Agency.

Dangerous goods and commodities, import of which to the territory of the Republic of Tajikistan is prohibited by the legislation of the Republic of Tajikistan, as well as goods and commodities for import to the territory of the Republic of Tajikistan that represent danger of occurrence and communication of infection diseases or mass non-

normative legal acts of the Republic of Tajikistan.

Procedure of work for the sanitary-sequestration posts shall be established by the Government of the Republic of Tajikistan.

Article 28. Restrictive Measures (Sequestration)

In case of communication of infection, non-infectious diseases and intoxications of people at the passing points through the state border of the Republic of Tajikistan, on separate territories and in settlements, organizations and objects of economic and other activities the Government of the Republic of Tajikistan shall

Article 31. Compulsory Medical Examinations
With the purpose to protect health, prevent and propagation of inf

officials, staff, the activities of which is related to the production, storage, transportation and sale of food products, fresh water, education and training of children, municipal and consumer services.

Article 35. Sanitary-Epidemiological Expertise

Sanitary-epidemiological expertise is the component of sanitary-epidemiological security of the population and conducted by institutions of sanita

Article 41. State Registration of Certain Types of Products and Substances
Negatively Affecting People

Certain types of products and substances ~~that~~ negatively affecting people shall be subject to state registration in the Ministry of Health of the Republic of Tajikistan:

- available and first time introduced in produ

- I — development of proposals on sanitary-epidemiological (preventive) measures;
 - observation, assessment and forecasting of the health status of the population in connection with the environment status;
 - statistical control in provision of sanitary-epidemiological security of the population at the government level, state registration of infection diseases, professional diseases, mass infection diseases (intoxications) in connection with the dangerous affect of environment factors with the purpose to formulate state information resources.

Chapter VI. STATE SANITARY-EPIDEMIOLOGICAL SERVICE
OF THE REPUBLIC OF TAJIKISTAN

Article 44. Main Principles of Organization and Operation of the State Sanitary-
Epidemiological Service System

- funds received from publishing activities;
- voluntary contributions and donations of citizens (including foreign citizens and persons with no citizenship) and legal entities;
- other sources not prohibited by the legislation of the Republic of Tajikistan.

Station shall be imposed obligations of deputy the principal state sanitary doctor of the Republic of Tajikistan.

Article 49. The Rights of Officials Implementing
State Sanitary-Epidemiological Control

In implementing their service obligations and upon submission of certificates officials

— issue prescriptions compulsory for implemen

— to financial-crediting organizations on suspension of operations of individuals and legal entities on settlement and other accounts in case of violation of sanitary norms and regulations during implementation of works on designing and construction of buildings, constructions, installations and non-fulfillment of resolutions on suspension or cessation of such works;

— to the bodies in charge of issue of certificates on suspension of operations or withdrawal of certificates of compliance of works, services, products in case of non-compliance of such works, services, and products with sanitary norms and regulations;

— to the bodies in charge of issue of licenses on suspension of licenses [or certain types of works or on withdrawal of these licenses in case of discovery of violation of sanitary norms and regulations during implementation of such works;

— to employers on application of disciplinary punishments to work-, who allowed violation of sanitary norms and regulations;

— to individuals and legal entities on compensation of harm caused to a citizen in the result of violations of legislation on sanitary-epidemiological security of the population allowed by them, as well as compensation of Additional expenses incurred by medical-preventive bodies and institutions of sanitary-epidemiological services of the Republic of Tajikistan for conflicting of measures to liquidate infection diseases and mass non-infection diseases (intoxications) connected with the indicated legislation on sanitary-epidemiological security of the population

The principal state sanitary doctor of the Republic of Tajikistan and his deputies shall be imposed the following authorities within their competencies and rights envisaged by this Law:

— issue sanitary-epidemiological certificates of compliance approved by local governments draft design standards, state standard rejects, construction standards and rules, projects of veterinary and phytosanitary rules, projects of labor protection rules, nature environment proportion rules, education standards, projects of other normative acts and 'publican target programs to ensure sanitary-epidemiological security of [populaton (further - documents) with sanitary norms and regulations;

— approve and enact in the established order sanitary norms and regulations, normative and other documents regulating operations of bodies and institutions of sanitary-epidemiological services of the Republic of Tajikistan;

— submit proposals to local governments to incorporate documents envisaged by this Law into compliance with the legislation on sanitary-epidemiological security of the population approved by the above bodies;

— submit to the Government of the Republic of Tajikistan proposals introduction (cancellation) of restrictive measures (sequestration) in the of the Republic of Tajikistan;

— approve instructions and other documents regulating the procedure to implement state sanitary-epidemiological control on ongoing renewal of these, (of) 6.7 (oz) 01 T (services of the of

epidemiological security of the population;

— coordinate their operations on provision of sanitary-epidemiological security of the population in cooperation with the ministries and departments, local governments, as well as public entities;

— observe state, medical and other legally protected secrets on information that became known during implementation of office duties;

— assist local governments, public entities in provision of sanitary-epidemiological security of the population.

Article 52. Responsibility of Officials in Charge of State Sanitary-Epidemiological Control

Officials in charge of state sanitary-epidemiological control shall be called to account for improper execution of their office duties, as well as concealment of facts and circumstances creating harm to sanitary-epidemiological security of the population by the procedure established by the legislation of the Republic of Tajikistan.

Article 53. Appeal of Acts (Negligence) of the Officials Implementing State Sanitary-Epidemiological Control

Actions (negligence) of the officials in charge of state sanitary-epidemiological control can be appealed in the higher organs of state sanitary-epidemiological control with the principal state sanitary-epidemiological doctor of the Republic of Tajikistan within one month.

Appeals can be considered in the order established by the legislation of the Republic of Tajikistan.

Submission of appeals shall not suspend execution of actions under appeal if such appealed actions are not suspended by the decision of the court.

Article 54. Legal Regulation and Social Protection of Officials Implementing State Sanitary-Epidemiological Control

Officials and specialists of sanitary-epidemiological service implementing state sanitary-epidemiological control shall be representatives of executive authorities and shall be protected by the government.

In their activities they shall be independent and shall be guided by the Constitution, this Law and other normative and legal acts of the Republic of Tajikistan.

Any influence, in whatever form, on officials and specialists, implementing state sanitary-epidemiological control impeding execution of their professional duties or interference with their activities shall be prohibited.

During implementation of their office duties officials and specialists of the state sanitary-epidemiological service shall enjoy social protection established by the legislation of the Republic of Tajikistan.

Chapter VII. FINAL PROVISIONS

Article 55. Responsibility of Individuals for Violation of the Requirements of this Law

Individuals shall be called to account for violation of the requirements of this Law in accordance with the legislation of the Republic of Tajikistan.

Article 56. Responsibilities of Legal Entities for Violation of the Requirements of this Law

Legal entities shall be established responsibility for the following violations of the legislative requirements on sanitary-epidemiological security of the population:

— violation of sanitary-epidemiological requirements to living quarters, exploitation of production, public premises, buildings, installations, equipment and transport shall entail imposition of penalties from one hundred to two hundred minimal salaries;

— violation of sanitary-epidemiological requirements to the organization of catering for population, products imported to the territory of the Republic of Tajikistan, products of production-

technical designation, chemical, biological substances and certain types of products potentially dangerous for people, goods for personal and household use, food products, food supplements, food resources, as well as materials and products interacting with them, new production technologies shall entail imposition of penalties from two to three hundred minimal salaries;

— violation of sanitary-epidemiological requirements to water facilities, drinking water and water supply to the population, atmospheric air in urban and rural settlements, air in place of permanent or temporary residence, soil, contents of territories of urban and rural settlements and industrial areas, collection, use, utilization, transportation, storage and disposal of production, radioactive and household waste, as well as planning and construction of urban and rural settlements shall entail penalty from two to three minimal salaries;

— violation of sanitary-epidemiological requirements of labor conditions, education and training, work with sources of physical influence factors, work with biological substances, biological and microbiological organisms and their toxins shall entail penalty from two to three minimal salaries;

— no fulfillment of sanitary-hygienic and anti-epidemiological measures shall entail imposition of penalty from three to four minimal salaries. The amount of the administrative penalty shall be subject to transfer in full to the state budget.

Administrative penalties for violation of legislation in the sphere of sanitary-epidemiological security of the population shall be imposed by the resolutions of the officials in charge of the state sanitary-epidemiological control in accordance with the competencies envisaged by this Law.

Implementation on cases of administrative violations envisaged by this Article shall be made in the order established by the Code of the Republic of