

Government of the Republic of Tajikistan

RESOLUTION

On the Approval of the Regulations “On the Peculiarities of Licensing Certain Types of Activities”
(Redrafted)

(As in force based on the Resolution of the Government of the Republic of Tajikistan No. 518
from October 1, 2007)

Pursuant to the Article 43 of the Law of the Republic of Tajikistan “On Normative Legal Acts”, the Government of the Republic of Tajikistan resolves:
The attached Regulations “On the Peculiarities of Licensing Certain Types of Activities” (redrafted).

E. Rahmonov

Chairman of the Government
Republic of Tajikistan

No. 172
April 3, 2007

3. When issuing licenses, licensing bodies shall be prohibited to set additional permissible types of activities related to the major activity, as well as to set requirements or terms not envisaged in these Regulations on their own initiative.

Chapter 3. The Document Confirming Availability of the License and a Decision to Issue a License

1. A decision to issue a license and a document confirming availability of a license shall indicate the following:

- name of the licensing body;
- for a legal entity – name and incorporation form, legal address;
- for an individual – last name, first name, patronymic, place of residence, passport number and date of issue;
- licensed type of activity including types of works (when licensed type of activity comprises types of works; registration number, date and validity term of the license;
- taxpayer's identification number;
- license number;
- date of the decision to issue a license;

2. License forms shall be printed typographically, have protection level, registration serial number and a number. License forms shall be registered high-security forms. Registration and storage of license forms shall be the responsibility of the licensing body.

3. Alterations in the license forms shall not be allowed. Garbled license forms shall be destroyed through a formal note.

4. In the case of lost licenses, license holders shall have the right to obtain a copy of the license.

5. Upon request of licensing and tax bodies, license holders shall be obliged to produce licenses. Copies of licenses can be produced when license holders apply for a copy, conversion, or extension of a license.

Chapter 4. License Validity

1. Types of activities included in the license can be performed only by a legal entity or an individual holding the license.

2. Activity, for which the licensing body issues a license, shall be performed in the territory of the Republic of Tajikistan, unless otherwise envisaged in international legal acts recognized by the Republic of Tajikistan.

3. In the cases expressly provided in the legislation of the Republic of Tajikistan, licenses can apply only in a definite territory of the Republic of Tajikistan.

Chapter 5. Licensing Requirements and Conditions

1. One of the mandatory licensing requirements and conditions in performing licensed types of activities shall be compliance with the legislation of the Republic of Tajikistan, as well as the requirements stipulated in these Regulations.

2. As for the licensed types of activities that require special knowledge, license applicants, and licensee qualification requirements, in particular, qualification requirements on the staff of legal entities or individuals shall be provided in the special part of these Regulations.

3. As for the licensed types of activities that require special conditions, requirements to comply with the indicated special facility conditions, under which or in such activities are performed may be included in licensing requirements and conditions set in the general part of these Regulations.

- date of the application and applicant's signature.

2. In addition to the documents indicated in the special part of these Regulations, other documents required for certain types of activities may be envisaged for submission.

3. It shall not be allowed to request licensees to submit documents that are not stipulated in the Law of the Republic of Tajikistan "On Licensing Certain Types of Activities" and these Regulations.

4. Documents shall be submitted by the license applicant in Tajik and Russian. Documents provided by foreign persons of submitted abroad must be verified in accordance with the procedures set in normative legal acts of the Republic of Tajikistan.

5. Application forms shall be approved by the licensing body according to the requirements of these Regulations.

6. The licensing body shall be obliged to arrange an information stand to post the list and samples of documents required for the acquisition of a license.

7. License applicants shall be responsible for the authenticity of data and documents submitted. When necessary, the licensing body shall have the right to check the authenticity of data and documents submitted by the applicants.

8. All documents submitted to the relevant licensing body shall be accepted according to the list, and a copy of the list with the date of acceptance shall be sent (handed) to the license applicant by the relevant bodies.

Chapter 8. Decision-making on the Issue or Denial of a License

- negative opinion of the relevant body on the required type of activity.

2. Within one month from the receipt of notice on denial of a license, recommendations to applicants to eliminate impediments indicated in subparagraphs 1 and 2 of the paragraph 1 of this Chapter, applications shall be considered on a common basis without a second payment. Licensing fees paid for the consideration of applications shall not be returned in the case of denial of a license.

3. Denial of a license shall not be allowed based on the volume of product (works, services) produced (performed) or planned for production (performance) by the license applicant.

4. Denial of a license shall be prohibited on other grounds not envisaged in the Law of the Republic of Tajikistan "On Licensing Certain Types of Activities" and these Regulations.

5. License applicants shall have the right to appeal against the denial of a license or failure to act of a licensing body in the court.

Chapter 10. Conversion of Documents Confirming Availability of Licenses

1. In the case of legal entities' transformation, change of the title or place of residence of an individual, the licensee – a legal entity (his/her legal successor) or an individual entrepreneur shall be obliged to apply for conversion of the documents confirming availability of a license with the attached documents confirming such changes.

2. After conversion of a license confirmation, the licensing body shall introduce relevant amendments in the register of licenses.

3. The licensing body shall convert licenses within ten days starting with the receipt of application.

4. Prior to the conversion and receipt of a new license, the licensee can perform activities based on a copy of the previously issued license.

5. Exception inspections, checks, and expenses of the licensee shall not be performed for the conversion of licenses.

6. It shall be prohibited to require the licensee to convert his/her license based on the grounds other than provisions of this Chapter.

7. Denial of a license conversion can be appealed against in the court by the licensee.

Chapter 11. Extension of the License Terms

1. Validity term of the license upon expiry can be extended upon application of the licensee.

3. The licensing body shall be obliged to set a term for the licensee to eliminate violations that entailed license suspension. Such a term cannot exceed three months. When a licensee failed to eliminate violations within the established term, the licensing body shall be obliged to approach the court for revocation of the license.

4. All decisions pertaining to the suspension or revocation of a license shall be considered at the meeting of the licensing body with mandatory invitation of the licensee (his representative). The licensee must be preliminarily informed in writing not later than 10 days prior to the meeting of the licensing body. When the properly notified licensee fails to appear with no good reason, decisions can be taken without licensee's participation.

5. A decision to suspend license operation shall be communicated by the licensing body to the licensee in writing with a motivated justification not later than in three days starting with the date of such a decision.

6. The licensee shall be obliged to inform the licensing body in writing on the elimination of violations that entailed license suspension.

7. The licensing body that suspended the license shall make a decision on re

4. Information contained in the license register shall be open to physical and legal persons for familiarization. Publication of information contained in the license register, mass media shall be allowed.

5. Information contained in the license register extracts on certain licensees shall be provided to physical and legal persons for a fee. The size of the payment for provision of information shall make one minimal salary and shall be transferred to the state budget.

6. Information from the license register shall be provided to government bodies free of charge.

7. Information from the license register shall be provided within three days starting with the receipt of an application.

8. The procedure of registering amendments shall not exceed three days starting with date of the decision taken by the licensing body.

9. Register of licenses shall be made in chronological order based on the license registration date and assignment of the registration number.

10. The head of the licensing body shall have the following responsibilities:

- timely and proper maintenance of the license register;
- timely provision of the data from the register to interested parties upon their request.

11. Information in the license register, as well as the documents, based on which licenses were issued, shall be kept in the files of the licensing bodies during five years and further transferred to the archive according to the established procedures.

Chapter 14. Powers of Licensing Bodies and Control

1. Licensing bodies shall perform the following tasks:

- issue of licenses;
- conversion of documents and confirming availability of licenses;
- extension of the license term;
- suspension of licenses;
- revival of licenses;
- revocation of licenses (as envisaged in Article 14 of the Law of the Republic of Tajikistan "On Licensing Certain Types of Activities");
- maintaining the license register;
- control over the licensee's compliance with the licensing requirements and conditions.

2. The licensing body shall supervise the licensee's compliance with the licensing requirements and conditions within their competence.

3. Licensing body, within its competence, shall have the right to inspect activities of the licensee in terms of its compliance with the licensing requirements and conditions. Inspections shall be exercised in accordance with the requirements of the Law of the Republic of Tajikistan "On Inspections of the Activities of Economic Entities".

4. Public supervisory and oversight bodies, as well as other government bodies, within their competence, shall be obliged to inform the licensing body on violations of licensing requirements and conditions revealed, as well as on measures undertaken.

Chapter 15. Responsibility for the Violation of the Licensing Legislation

1. Licensee's losses caused by groundless denial of license or violation of the licensee's rights and interests shall be recovered based on the procedures set in the legislation of the Republic of Tajikistan.

2. Engagement in the activities without a relevant license or violation of licensing requirements and conditions shall entail administrative and criminal responsibility established by the Legislation of the Republic of Tajikistan.

SPECIAL PART

SECTION II. GENERAL TYPES OF ACTIVITIES SUBJECT TO LICENSING

Chapter 16. Peculiarities of Licensing Activities in the Area of Digital Signatures and Activities in the Area of Information Protection

1. Types of activities subject to licensing:

- issue of certificates of the digital signature keys, registration of digital signature owners, provision of services pertaining to the use of digital signatures, confirmation of the authenticity of digital signatures;
- revealing electronic devices designed for use in premises, and technical means (except when such activity is performed to satisfy the needs of the legal entities or individual entrepreneurs);
- development and production of means to protect confidential information;
- technical protection of confidential information;
- development, production of special technical means designed for use, sale of information, as well as acquisition of information for sale when such activities are performed by entrepreneurs and legal entities engaged in entrepreneurship.

2. Licensing body – the Main Department on Protection of State Secrets under the Government of the Republic of Tajikistan and its territorial bodies in the Gorno-Badakhshan Autonomous Oblast, Sogd, and Khatlon Oblasts.

3. The licensing body shall issue a license of the technical expertise based on the procedures approved by the Main Department on Protection of State Secrets under the Government of the Republic of Tajikistan.

4. Additional licensing requirements and conditions:

- activities can be performed only at attested facilities complying with the norms and procedures of information security technical protection;
- devices, technical and electronic equipment must be certified for conformity, devices shall be verified in the standardization, metrology and certification bodies;
- personnel must be attested, have access to confidential data that presents state secrecy;
- availability of the expertise act of

- availability of experts with relevant qualifications;
- ensuring maintenance of the samples of all printing products;
- availability of the record keeping system and conditions to ensure maintenance in the process of printing products.

Chapter 18. Peculiarities of Licensing Lombard Activities

1. Licensable types of activities: Lombard activities.
2. Licensing bodies: the Ministry of Finance of the Republic of Tajikistan.
3. Additional documents for obtaining a license:
 - copies of documents confirming availability of premises in possession of the license holder or on other grounds for Lombard activities;
 - positive conclusion of the fire inspection bodies and internal affairs bodies on the conformity of buildings and equipment to the set requirements.
4. Additional licensing requirements:
 - meeting requirements of normative legal acts regulating Lombard activities on acceptance, recording and storage of the property accepted as security or for storage, sale of non-recovered unclaimed property;
 - mandatory insurance of Lombard at the expense in favor of the pledger of the pledged property for the entire valuation amount;
 - availability of necessary premises, equipment, inventory and system of protecting facilities conforming to the set requirements.

Chapter 19. Peculiarities of Licensing Audit Activities

1. Licensable type of activity: audit.
2. Licensing bodies:

The Ministry of Finance of the Republic of Tajikistan for the audit of stock exchanges, extra-budgetary funds, investment organizations, audit insurance organizations and general audit; the National Bank of Tajikistan for the audit of bank organizations.
3. Qualification certificate of an auditor shall be mandatory in order to obtain a license for auditor activities.
4. Additional documents for obtaining a license for the audit of stock exchanges, extra budgetary funds, investment organizations, audit insurance companies, and general audit:
 - copies of documents confirming higher education;
 - a copy of the employment record book confirming time record by occupation – accountant, economist, auditor, financier, lawyer – up to 5 years with higher education or financial, accounting-analytical, auditing of up to 10 years with secondary special education.
5. Additional licensing requirements and conditions for the audit of bank organizations:
 - private auditors or auditors of audit organizations must have auditor qualification certificates;
 - no less than three licensed auditors in the staff of the audit organization;
 - audit shall be the major occupation of the license applicant.
6. Auditors shall be attested in accordance with the procedures established by the Government of the Republic of Tajikistan.

Chapter 20. Peculiarities of Licensing Valuation Activities

1. Licensable type of activity: valuation activity.
2. Title of the licensing body: The State Committee on Investments and State Property Management of the Republic of Tajikistan.

3. Additional documents required for licensing: copies of the personnel documents confirming professional knowledge of evaluation activities.
4. Additional licensing requirements and conditions:
 - minimum one lawyer with relevant qualification in evaluation activities.

Chapter 21. Peculiarities of Licensing Works on Installation, Repair, and Maintenance of the Fire Security Facilities for Buildings and Structures

1. Licensable type of activity: installation, repair and maintenance of fire security facilities for buildings and structures.
2. Installation, repair, and maintenance of fire security facilities for buildings and structures include the following:
 - processing of structures and buildings by fire-proof means;
 - connection, repairs, and maintenance of automatic fire prevention means and hand-held devices;
 - provision with fire protection equipment and means;
 - expertise of fire protection equipment and means.
3. Licensing body: the Ministry of Internal Affairs of the Republic of Tajikistan.

Chapter 22. Peculiarities of Licensing Trading Arms, Basic Units, and Ammunition

1. Licensable type of activity: trading non-military and duty weapons, basic units and ammunition.
2. Licensing body: the Ministry of Internal Affairs of the Republic of Tajikistan.
3. Additional documents mandatory for all personnel for obtaining a license for trading in arms, basic units, and ammunition:
 - a document certifying general military duty;
 - certificates confirming no records of registration with psychiatric or narcological dispensary, no alcohol abuse;
 - document on handling fire arms;
 - no record certificate.
4. Additional requirements and conditions to licensees:
 - conformity of the building to the norms and rules pertaining to maintenance of arms and ammunition;
 - safes for storage of arms, basic units and ammunition;
 - access to the selling area only to persons of 18 years of age and older;
 - utilities (electricity supply, communication, fire safety and security alarm system).

Chapter 23. Peculiarities of Licensing Activities on Servicing and Repairs of Hoisting Machines, Operation of Explosive, Fire Hazardous, Chemically Hazardous Production Facilities

1. Licensable types of activities:
 - maintenance and repairs of hoisting machines (except for the cases when indicated activities are performed to provide internal needs of legal entities or individual entrepreneurs);
 - operation of explosive, fire hazardous, chemically hazardous production facilities.
2. Maintenance and repairs of hoisting machines shall cover the following:
 - installation, setting up and operation of hoisting machines;
 - technical examination of outdated hoisting machines.
3. Operation of explosible production facilities shall cover the following:
 - acquisition, utilization, processing, development, storage, transportation, disposal of substances that can create explosible mixtures with oxygen, or with each other (combustion gases,

highly inflammable and combustible liquids, dust-producing substances), solid phase and liquid phase substances capable of spontaneous decomposition with an explosion;

- obtaining ferrous and non-ferrous melt and metal composites (in technology installations with batch load no less than 100 kg);

- operation, installation, setting up, repairs of the equipment functioning at excess pressure above 0,07 MPa or at the heating temperature of water above 115°С;

- non-destructive method to control technical devices and structures at dangerous production facilities;

- examination of containers for the isolation, storage and transportation of inflammable gaseous substances, which, under normal pressure in contact with air or with each other, become inflammable and whose boiling point at normal pressure makes 20°С or less;

- mining works in mines and underground, exploration of deposits with dangerous gas and dust, dangerous in terms of sudden outburst of rock and gas, dangerous in terms of rock bumps.

4. Operation of fire hazard facilities shall include the following:

- maintenance, repairs and rehabilitation of pipelines, structures and other facilities, for operation of gas networks;

- underground and surface extraction and processing of minerals prone to spontaneous combustion;

- works on other mountain sites with technology that envisages fire hazard work, including works not related to the extraction of minerals;

- testing line portion of main pipelines upon the completion of construction and repairs;

- diagnostics of the linear portion, technical pipelines, fixed installations of mainline pipeline facilities;

- operation of underground gas storages.

5. Operation of chemically hazardous facilities shall include the following: extraction, utilization, processing, development, storage, transportation, disposal of toxic, highly toxic substances, and substances that constitute danger to the environment.

6. Licensing body: the Main State Department Control of Safe Works in Industry and Mines Inspectorate under the Government of the Republic of Tajikistan.

7. Additional documents for licensing of maintenance and repairs of hoisting machines:

- positive expertise opinion on the industrial safety;

- list of available hoisting devices indicating the registration number, production serial number and year of manufacture, as well as copies of passports;

- a copy of the decree on the appointment of executives and operating personnel for safe operation of hoisting machines;

- a copy of the minutes of the test of knowledge of the engineering personnel and technical personnel installation code and safe operation of hoisting machines;

- information on the arrangement of the departmental quality control;

- declaration on the industrial safety of the hazardous production facility.

8. Additional documents for obtaining a license for operation of explosive production facilities, fire hazard production facilities, and chemically hazardous production facilities:

- information on the personnel and their qualifications;

- certificate of the licensing system of the interior affairs agencies;

- certificate of the industrial safety expertise;

- certificate of the state environmental expertise, fire engineering and sanitary epidemiological services;

- a copy of technical certificate on explosion safety of industrially hazardous facility;

- a copy of the plan on localization and liquidation of emergency situations;

- a copy of instruction of executives and technical personnel for safe operation of explosive production, facilities, and safe works;

- information on the available technical regulations for output goods or technological guidelines approved according to the established procedures;
- a copy of the minutes on testing of the knowledge of engineering and maintenance personnel on the installation codes and safe operation of explosive production facilities;
- information on the arrangement of departmental quality control;
- declaration on industrial safety of hazardous production facility.

Chapter 24. Peculiarities of Licensing Industrial Safety Expertise

1. Licensable type of activity: industrial safety expertise.
2. Industrial safety expertise shall cover the following:
 - expertise of the design documents on construction, expansion, reconstruction, technical upgrading, conservation and liquidation of production facilities;
 - expertise of technical devices used in hazardous production facilities;
 - expertise of buildings and structures in hazardous production facilities;
 - expertise of the industrial safety declaration.
3. Title of the licensing body: the Main State Department on Control of Safe Works in Industry and Mines Inspectorate under the Government of the Republic of Tajikistan.
4. Additional documents for obtaining a license for the industrial safety expertise:
 - sufficient number of lawyers for the industrial safety expertise complying with the relevant qualification requirements;
 - professional university degree of individuals in accordance with the area of expertise;
 - data on the normative and technical base;
 - a copy of the minutes on examination of knowledge of the engineering staff;
 - industrial safety declaration for the industrial safety expertise.

Chapter 25. Peculiarities of Licensing Production, Storage, Utilization, Dissemination, and Transportation of Industrial Explosives; Production and Dissemination of Pyrotechnic Items

1. Titles of licensable types of activities:
 - production, storage, dissemination, transportation and use of commercial explosive materials;
 - production and dissemination of pyrotechnics included in the state cadastre of explosives.
2. Licensing body: the Main State Department on Control of Safe Works in Industry and Mines Inspectorate under the Government of the Republic of Tajikistan.
3. Additional documents required for obtaining a license:
 - information on the staffing levels, and qualifications of the staff, arrangement of training and attestation of specialists, whose functions are related to hazardous production facilities, works;
 - certificate of the state environmental expertise, fire safety and sanitary-epidemiological services;
 - certificate of the industrial safety expertise;
 - information on the arrangement of departmental quality control;
 - information on the availability of a design for construction of a storage area for explosives and sac lac

- information on the approval of technical regulations on product output or technology instructions in accordance with the established procedures;
- a copy of the protocol on testing knowledge of engineering technical personnel and operating personnel of the rules and instructions on safety;
- information on the technical equipment of the organization.

Chapter 26. Peculiarities of Licensing Activities in the Energy Sector

1. Licensable type of activity:

- extraction, production, exploration of oil, gas, coal, and operation of oil-and-gas network installations;
- storage and marketing of oil, gas and derivatives (except for cases when such activity is performed to satisfy internal needs of a legal entity or an individual entrepreneur);
- assembly, set up and repairs of energy facilities and equipment (except when such activity is performed to satisfy internal needs of a legal entity or an entrepreneur);
- generation, transmission and distribution of electricity (except when such activity is performed to satisfy internal needs of a legal entity or an entrepreneur).

2. The licensing body:

The Ministry of Energy and Industry of the Republic of Tajikistan;

The Agency on Construction and Architecture under the Government of the Republic of Tajikistan – licensing of connection, regulation, and repairs of energy facilities.

3. Additional documents for obtaining a license:

- a list of normative and technical documentation, based on which licensable activity is performed;
- certificate of the sanitary-epidemiological control, state energy inspection, state mines technical inspectorate, environmental, fire safety inspection and metrology and certification standardization depending on the proposed type of activity;
- information on the production and technical facilities.

4. Additional licensing conditions and requirements:

- quality control system in place;

2. Design and exploration works include development of town planning documentation, development engineering networks of settlements and territories, architectural design; construction design, design of engineering networks and systems, development of spatial design sections, preproduction planning (by industry sectors and separate elements), development of interior design, functions of the general designer.

3. Construction of buildings and structures including preparation of a construction site, earthwork operations, bottoming and basement preparation, construction of supporting and enclosing constructions of buildings and structures (up to 6 m, up to 12 m, above 12 m), set-up of internal utilities and equipment, protection of structures and equipment, finishing works, assembly of technological equipment, functions of the general contractor, functions of a project owner.

4. Licensing body: Agency on Construction and Architecture under the Government of the Republic of Tajikistan.

5. Additional documents for obtaining a license:

- copies of documents confirming compliance with the qualification requirements for individual entrepreneurs or legal entity staff;
- information on the buildings and premises in the possession of the license applicant based on ownership right or other legal grounds required for licensable activities indicating the title and other data of documents, based on which the applicant uses these buildings and premises;
- a position opinion of the Ministry of Culture of the Republic of Tajikistan on the activities pertaining to rehabilitation of cultural heritage sites (historical and cultural sites).

6. Licensing requirements and conditions:

- at least fifty percent of the managerial and specialist staff numbers with professional higher education and at least five years of time record in the area of engineering investigations in architectural engineering;
- professional higher education of the individual entrepreneur and at least five years time record in engineering investigations in architectural engineering, construction at least five years of research and restoration of cultural heritage facilities (historical and cultural sites), monuments;
- buildings, equipment and inventory, construction machines, transport means, power-operated and manual instruments, industrial robots, mobile energy devices, means to ensure safety of control and measurement means required for licensed activities;
- system of quality control of works, construction materials, metrology maintenance of devices and measurement means;
- performance of licensable activities in accordance with the requirements of the legislation of the Republic of Tajikistan, relevant state standards and normative-technical documents in construction.

7. The licensing body shall have the right to attract professional creative organizations in construction, architecture and town planning, and highly qualified specialists and other persons for independent evaluation of the licensee's conformity to licensing requirements and conditions.

Chapter 28. Peculiarities of Licensing Geodesy and Mapping Activities

1. Licensable type of activity: geodesy and mapping.

2. Works comprising geodesy:

- building (development) of geodetic photo control;
- building geodetic beacons;
- laying geodetic centers;
- creation of field-compilation networks;
- photographic operations;
- trace works;
- surveying underground utilities;
- photo theodolite survey;

- survey operations pertaining to setting location of engineering geodetic plans, geophysical and other surveying points.

3. Mapping contents:

- production of open mapping products (atlas, political-administrative, thematic blank and other types of maps);

- permit for development and preparation to the publication of thematic, special and other maps;

- touristic maps.

4. Licensing body:

The Agency on Land Management, Geodesy and Mapping under the Government of the Republic of Tajikistan;

The Agency on Construction and Architecture under the Government of the Republic of Tajikistan – in charge of licensing construction related works.

5. Additional documents for obtaining licenses:

- an application for production of geodetic and mapping works (for licensing) based on a form approved by the licensing body;

- information on the technical facilities.

6. Additional licensing requirements and conditions:

- compliance of the selected method of cadastral surveying and contour interval with normative acts;

- qualified executors;

- geodetic equipment included in the State Register of Measuring Tools of the Republic of Tajikistan that passed through the state inspection;

- higher education and at least three years record of practical work in this specialty or secondary special education, and at least six months time record in this specialty.

7. Licensing shall not be required for surveys performed by educational organizations as field period for students, unless they have production purposes.

Chapter 29. Peculiarities of Licensing for Tunnel Surveys

1. Licensable activity: Tunnel Surveys.

2. Tunnel surveys shall include:

- spatio-geometrical measurements of mining and underground installations, definition of their parameters, location and conformity to design documentation;

- monitoring of the state of mines and justification of their borders;

- maintaining of mountain graphic documentation;

- record keeping and justification of mining volumes;

- defining dangerous zones and measures to protect mines, buildings, structures and natural objects from impact of works pertaining to subsoil use.

3. The licensing body: The Main Department State Supervision of Safe Mining and Mines Inspectorate under the Government of the Republic of Tajikistan.

4. Additional documents for licensing:

- information on the equipment of the organization, required quantity of tunnel surveying, geodetic devices and instruments, computer technologies indicating the brand and type, as well as copies of certificates, attestation passports obtained from special organizations;

- information on the economic security of tunnel surveying services, availability of special equipped premises with the indication of area and actual arrangement per the Instruction on Tunnel Surveying;

- list of current normative-technical documentation (rules, standards, guidelines, regulations) pertaining to the production of tunnel surveying;
- information on the current standards, repairs, inspections and tests of tunnel surveying equipment, and instruments;
- required numbers of staff in the tunnel surveying department (engineers and technicians – tunnel surveyors, cartographers and tunnel surveying bureaus staff) according to the requirements of instruction on tunnel surveying works;
- approved staff of tunnel surveying department and information on actual staffing;
- information on the experts of the tunnel surveying service (last name, first name, patronymic, date of birth, education, time record in this specialty, post occupied, date of recent attestation);
- a copy of the permit (of physical persons) to work with data representing state secrecy, received according to the established order;
- information on the main conditions using subsoil requiring special complicated high-accuracy methods and approaches in tunnel surveying works;
- information on departmental control of tunnel surveying in the entity.

Chapter 30. Peculiarities of Licensing Hydrometeorology and Related Areas, Including Active Exploration in Hydrometeorology and Geophysical Processes and Phenomena

1. Licensable type of activity: hydrometeorology and related areas, including active exploration of hydrometeorology and geophysical processes and phenomena.
2. Hydrometeorology activities cover the following:
 - determination of meteorology, climatological, hydrological and agro meteorological characteristics;
 - preparation and submission of prognostic and monitoring data;
 - development and maintenance of base in hydrometeorology and related areas, and monitoring of the natural environment quality;
 - defining the level of contamination (including radioactive contamination) of environment (atmospheric air, soil, surface water);
 - preparation and forecasting of analytical information and estimations on the state of environment, its contamination (including radioactive contamination);
 - installation, repairs, maintenance and inspection of devices and hydrometeorology equipment.
3. Licensing body: the Ministry of Agriculture and Nature Protection of the Republic of Tajikistan.
4. Additional documents for obtaining licenses:
 - information on normative-technical framework;
 - certificate of compliance of the equipment and devices.
5. Additional licensing requirements and conditions – professional education and time record in this area for at least three years;
 - devices and equipment requ

1. Licensable type of activity: collection, utilization, deactivation, transportation, and disposal of dangerous waste.

2. Disposal of dangerous waste includes collection, storage, transportation, utilization, deactivation, disposal of dangerous waste.

3. Licensing body: Agency on State Control of Use of Natural Resources and Environment Protection.

4. Additional documents for licensing:

- certificate of the state sanitary-epidemiological control;
- certificate of the fire safety control bodies;
- certificate of the state supervision on safe industrial works and mining control – when dangerous waste treatment in extraction and processing of mineral resources, as well as disposal of dangerous waste underground are under question;

- start-up or industrial regulation newly created pharmaceutical production in accordance with the standards and stipulated requirements (for pharmaceutical production – guidelines for preparation of medicines);

- copies of documents confirming conformity of equipment for pharmaceutical activities and activities pertaining to the production of therapeutic and preventive food products and cosmetics, as well as disinfection, fumigation, and deratization means, applied for licensing (for newly created licensing subjects);

- map of the technical level technology and quality of medicines, therapeutic and preventive food products and cosmetics, as well as disinfection, fumigation, and deratization means;

- certificate on the state of metrology provision;

- information on the availability of an internal production system for quality control of the medicines and medicinal items, therapeutic and preventive food products and cosmetics, as well as disinfection, fumigation, and deratization means;

- availability of required documents (patents, certificates, etc.), which allow production of medicines and medicinal products, therapeutic and preventive food products and cosmetics, as well as disinfection, fumigation, and deratization means.

5. Additional licensing requirements and conditions:

- conformity of the utilized facilities to the requirements applied to pharmaceutical facilities;

- availability of required normative technical documentation (in production) and a registration certificate (in production);

- availability of personnel required for the implementation of the indicated activities, and upgrading qualification of specialists in pharmaceutical areas at least once in five years;

- compliance with the sanitary norms and procedures;

- compliance with the requirements pertaining to pharmaceutical activities, circulation of medicines and cosmetics, medicinal goods techniques, therapeutic and preventive food products, as well as disinfection, fumigation and deratization means, set by normative and legal acts;

6. Specific requirements to facilities, equipment, and specialists shall be set by current technology regulations and other normative documents approved according to the established order.

- copies 6(e)-.67 0 Lwly creatBody: s and110 M9754 0 ent003 Tc -920014 Tw [(zed facilicontrol

- compliance with technical norms and requirements of premises, equipment, and test and measurement equipment used by the licensee for this activity.

5. The procedure of attestation of persons involved in this activity and issue of a specialist certificate shall be defined by the Ministry of Health of the Republic of Tajikistan.

- cultivation of drug-containing plants for scientific purposes, as well as development of new narcotics and psychotropic substances;
- activities pertaining to the legal circulation of narcotics, psychotropic substances and precursors (development, production, preparation, processing, storage, tr

7. Specific requirements to the facilities, equipment, and specialists shall be set by technical regulations and other normative documents approved according to the established procedures. Note: Provisions of this Chapter shall not apply to the staff of the law enforcement bodies fighting against illegal circulation of narcotics, and the judicial institutions in charge of the expertise of narcotics.

Chapter 37. Peculiarities of Licensing Activities Pertaining to the Sources of Ionizing Radiation (Generating) and Activities Related to the Use of Radioactive Substances

1. Licensable type of activity:
 - activities related to the use of the sources of ionizing radiation (generating);
 - use of radioactive substances.
2. Activity related to the use of ionizing radiation sources comprises production, sale, utilization, transportation, storage, and disposal of ionizing radiation sources; repairs of installations using ionizing radiation.
3. The licensing body: the Academy of Sciences of the Republic of Tajikistan.
4. Additional documents required for obtaining a license:
 - certificate of the sanitary-hygienic control on the feasibility of premises and communication systems and special transport means used for the types of activities, availability of protection means and coating;
 - certificate of the fire safety control bodies;
 - copies of compliance certificates issued by the certification bodies for manufactured, produced, utilized and sold products;
 - a copy of the attestation certificate of the Agency on Nuclear and Radiation Safety of the Academy of Sciences of the Republic of Tajikistan;
 - a document confirming return of radiation sources to the exporter in the case of incomplete import or transit;
 - a copy of the medical certificate on the mental state of the manager and executors;
 - a certificate of the licensing system of the interior affairs bodies.
5. Additional licensing requirements:
 - documents confirming conformity of acts and executors with the special qualification requirements that ensure execution of given types of work;
 - availability of facilities complying with sanitary hygienic requirements and rules established for the activity and equipment with special tools and inventory;
 - attestation certificate of the Agency on Nuclear and Radiation Safety of the Academy of Sciences of the Republic of Tajikistan.
6. Specific requirements to facilities shall be set by the special technical regulations and other normative documents approved by the legislation of the Republic of Tajikistan.

Chapter 38. Peculiarities of Licensing in the Area of Land Transport

1. Licensable type of activity:
 - design testing, construction, repairs, and reconstruction of highways, railroads, and road structures;
 - transportation of passengers and goods by highway;
 - transportation of passengers and goods by railway transport (except for cases when such activity is performed for the satisfaction of legal persons' or individuals own needs and without access to communal railroads);
 - maintenance and repairs of highway and railroad transport;
 - passenger and goods terminals.
2. Transportation of passengers and goods by highway transport shall include the following types of work:

- national (city, suburban, interurban) and international transportation of passengers by highway transport;
- national and international transportation of goods by highway transport;
- forwarding by highway transport.

3. Transportation of passengers and goods by railroad transport shall include the following types of work:

- transportation of passengers through mainlines;
- transportation of goods through access ways to railroads;
- forwarding through the railway transport.

4. Passenger and goods terminal operations shall include the following types of work:

- bus terminals, railroad terminals and stations;
- automobile stations and terminals (except for stops in urban routes);
- automobile parkings;
- national and international goods terminals.

5. Licensing body: the State Service on Control and Regulation of Transport.

6. Additional documents for licensing:

1) For transportation of passengers and goods by highway transport:

- a copy of the driver's license;
- a copy of the certificate on the registration of the vehicle in the territory of the Republic of Tajikistan;
- a copy of the vehicle quality certificate;
- a copy of an agreement for the leasing of rolling stock and a power of attorney (when transportation is performed by rented transport).

- information on the availability of cultural-domestic services and sanitary-hygienic services for passengers and terminal workers, including baggage, rest-rooms for drivers, waiting areas, ticket offices, dispatcher rooms, administrative rooms, mother and child rooms, hotels for international terminals, etc.;

- information on the qualified employees and copies of their education diplomas;
- information on compliance with safety rules.

5) For cargo handling terminals:

- information on the production technical base including points for technical examination of vehicles, existence of parking area and station, relevant warehouses for the storage of cargo, availability of loading/unloading mechanisms, inquiry, operator and dispatcher services;

- permits of relevant bodies for the use of loading/unloading mechanisms;
- information on the cultural-domestic and sanitary-hygienic services to drivers;
- information on the compliance with general safety rules;
- information on the qualification staff with the copies of education certificates.

6) For the maintenance and repairs of vehicles:

- information on production technical base (availability of posts for certain types of work);
- information on the works performed;
- information on the qualification staff with the copies of education certificates;
- information on compliance with the labor safety and sanitary hygiene requirements.

7) Road activities:

- information on production technical base, including vehicles leased on contractual basis (lease agreement for the lease of road-building machinery);

- information on the compliance with labor safety, environment, fire safety, and sanitary hygiene requirements;

- information on the composition of the managerial staff, qualification composition of workers, engineering employees, copies of diplomas, certificates, data on the upgrading qualifications and attestation of experts for professional activities;

- information on the system of quality control in the organization;
- opinion of the control agencies on the production, certificates of quality, test results, copies of agreements with the laboratory on testing products;
- documents confirming powers of the person, who submitted documents;
- positive expert opinion of regional licensing bodies.

7. Additional licensing requirements and conditions:

- compliance with the technical, sanitary-environmental requirements, labor safety rules, labor protection, fire safety and sanitary hygiene;

- compliance with the international and interstate norms and standards recognized by the Republic of Tajikistan;

- availability and conformity of the production technical base, including points for technical examination of vehicles, parking areas, warehouses for storage of goods, loading/unloading mechanisms, enquiry, operator and dispatcher services, cultural-domestic and sanitary-hygienic services to drivers with the set norms and standards – for the activities of cargo terminals and forwarding operations;

14. Protocols shall contain: date and place of drafting, position, last name, first name, patronymic of the person, who drafted the protocol: information on the person, place, time and essence of the violation, a normative act that envisages responsibility for this violation. The protocol shall be signed by the persons, who committed violation and the person, who drafted the protocol. Vehicle registration documents shall be withdrawn prior to the elimination of violations and drivers shall be issued temporary technical passports on the withdrawal of these documents.

15. Heads of the State Control and Regulation Service in the Transport Area, its regional departments shall consider inspection results within 15 days.

Chapter 39. Peculiarities of Licensing Activities in the Area of Air Transportation

1. Licensable type of activity:
 - transportation of passengers and goods by air transportation;
 - maintenance of air traffic;
 - repairs and maintenance of aircrafts.
2. Transportation of passengers and goods by aircrafts shall comprise the following works:
 - scheduled internal transportation of passengers and goods;
 - scheduled international transportation of passengers and goods;
 - nonscheduled (charter) internal and international transportation of passengers and goods;
 - agent activities on making of air transportation;
 - provision of passengers (crews) aircrafts within-flight catering.
3. Maintenance of air traffic shall comprise the following works:
 - measures directly linked to the take-off and landing of aircrafts (air field, electricity lighting, radio technical, meteorology, navigational, ornithological, search and salvage-rescue support in managing air traffic, air navigation information, aviation safety);
 - aviation-engineering support of aircrafts;
 - provision of aircrafts with fuel.
4. The licensing body: The State Control and Regulation Service in the Transportation Area.
5. License parameters for transportation of passengers and goods shall be:
 - type of transportation (passenger, cargo, passenger-cargo);
 - type of aircraft;
 - type of provided services (sale, reservation of transportation);
 - category of transportation (scheduled, internal, international).
6. Air carriers licensed for scheduled (charter)

10. A license to carry out scheduled international flights can be issued to air companies given the experience of working in nonscheduled (charter) lines for at least one year. At that, quality of passenger services, regularity of services and conditions met at the serviced air lines shall be taken into account.

11. The Licensing body shall have the right to issue licenses for international scheduled and nonscheduled (charter) flights on competitive basis.

12. Air carriers that received licenses for international scheduled flights shall acquire the status of air carriers assigned by the Republic of Tajikistan.

13. The license for scheduled international air transportation shall also entitle the owner (owners) to carry out additional nonscheduled (charter) flights on given air lines.

14. The license for scheduled and nonscheduled (charter) international flights can be issued to the air company given insurance policy covering health hazard and damage of the property of passengers and cargo owners, pursuant to the Warsaw Convention from 1955, as well as given insurance responsibility to third parties determined in the Rome Convention from 1952, or other volumes agreed with foreign states.

15. Additional licensing requirements and conditions that entitle tran

- revolving fund (spareparts, complementary articles, special lubricants and liquids, consumables, etc.) and regular replenishment of fund that allows maintaining aircrafts and other aviation techniques;
- own (leased) information system pertaining to the maintenance and repairs of the aviation techniques.

23. Ability of the applicant to perform given engineering aviation services must be confirmed by

- personal registration cards of the panel in charge of management and gaming;
- procedures, rules of games, acceptance stakes posted in the premises for the visitors;
- availability of sufficient cash for payment of the prize fund or formation of an insurance fund;
- compliance with the rules of maintaining financial documentation and accounting;
- access to premises for the licensable activities shall be given only to persons of the age of 18 years upwards.

Chapter 41. Peculiarities of Licensing Touristic Activities

1. Licensable type of activity: touristic activities.

Touristic activities include organization of journeys, excursions and related services at the

activities, legalized by the consulate department of the Republic of Tajikistan abroad or relevant structures of the Ministry of Foreign Affairs of the Republic of Tajikistan.

Chapter 42. Peculiarities of Licensing Patent Agents

1. Licensable type of activities of patent agents.
 2. Licensing body: the Ministry of Economic Development and Trade of the Republic of Tajikistan.
 3. Additional documents for obtaining a license:
 - a copy of the university diploma;
 - decision of the attestation commission.
 4. Additional licensing requirements and conditions:
 - university background in the area of jurisprudence, technical or natural sciences;
 - at least one year of time record protection of industrial property facilities;
 - positive decision of the attestation commission;
 - citizenship of the Republic of Tajikistan.
- Note: "Patent agent" in this chap

4. Additional documents required for obtaining a license for activities related to the employment of citizens of the Republic of Tajikistan outside the Republic of Tajikistan:

- a copy of the license of a foreign employer for involvement of foreign citizens for work issued by the relevant body of this state (if such activity is licensed in this state);
- a foreign individual or a legal entity shall submit to the Ministry of Labor and Social Protection of RT a legalized statement from the consular register of its country on the location or other equivalent proof of the legal status according to the legislation of its country at the time of the creation of the foreign entity with the notarized translation of such documents to Tajik (Russian) language.

5. Additional licensing requirements and conditions for the performance of activities pertaining to the employment of the citizens of the Republic of Tajikistan abroad and for the involvement of foreign labor force in the Republic of Tajikistan:

- at least one specialist with higher or secondary education in the staff;
- premises, equipment, database to ensure interaction with the employment agencies;
- satisfactory financial state;
- opinion of the Ministry of Trade and Social Protection of the Republic of Tajikistan on the activities pertaining to the employment of foreign citizens in the Republic of Tajikistan (as in force per the Resolution of the Government of RT No. 518 from October 1, 2007).

6. An economic entity, which received a license for activities pertaining to the employment of the citizens of the Republic of Tajikistan abroad shall be obliged to follow the following conditions:

- registration and submission of forms to the citizens for the development of the database of candidates for employment abroad free of charge;
- familiarizing labor migrants with the current procedure of foreign citizens' employment in these states and regulations on the immigration legislation;
- signing employment contracts between citizens of the Republic of Tajikistan and foreign employers, or on their behalf, positive signing of employment contract on their behalf and submission to the labor migration prior to the departure abroad;
- issuing international passports to the citizens of the Republic of Tajikistan leaving abroad

- quarterly submission of reports based on approved cards for statistical recording of labor migrants to the State Migration Service under the Ministry of Labor and Social Protection according to the established procedures.

8. At the request of the Ministry of Labor and Social Protection of the Republic of Tajikistan, expertise of employment contracts signed between the economic entities of the Republic of Tajikistan and the employers from other countries can also be performed by the accredited representative offices of the Ministry of Labor of the Republic of Tajikistan in other countries.

9. Suspension of the license shall not excuse performance of liabilities based on contracts with labor migrants (the Government Resolution No. 518 as in force from October 1, 2007).

Chapter 45. Peculiarities of Licensing Private Veterinary Services

1. Licensable type of activity: private veterinary services.

2. Private veterinary shall cover the following:

- private therapy, surgery, obstetric-gynecologic services;
- production and sale of biological preparations, veterinary medicines, fodder and fodder supplements.

3. Licensing body: the State Veterinary Inspection Service.

4. Additional documents required for the opening of licenses:.

- certificate of the sanitary-epidemiological inspection on the compliance with the sanitary norms and rules for buildings (industrial, warehousing, office, etc.) structures, equipment for the technological processes;
- certificate of the fire safety inspection on the compliance of the premises (industrial, warehousing, office, etc.) and equipment with the requirements of technology processes;
- information on the production and technical facilities;
- certificate of relevant internal affairs agencies and health agencies of the Republic of Tajikistan on the technical state of premises for the storage of strong substances and equipment with the security alarm system;
- a certificate of state registration of veterinary medicines issued by the Center of Pharmaceutical and Medicinal Control;
- a document confirming availability of higher or secondary veterinary education.

Chapter 46. Peculiarities of Licensing Production, Import and Export of Tobacco Products

1. Licensable type of activity: production, import and export of tobacco products.

2. Licensing body: the Ministry of Energy and Industry of the Republic of Tajikistan.

3. Additional documents to acquire a license:

- entity passport;
- certificate of the sanitary-epidemiological control bodies;
- certificate of the fire inspection;
- certificate of compliance with the safety indicators on products issued in accordance with the requirements of the certification and metrology bodies.

4. Additional licensing requirements and terms:

- compliance with the production technology requirements;
- compliance with the labeling and sale requirements;
- availability of fixed assets (funds), buildings, structures, equipment, premises, including production-technology laboratory for relevant activities owned or otherwise possessed by the license applicant;
- compliance of technology equipment with the requirements on tobacco products.

Chapter 47. Peculiarities of Licensing Proctor Activities

1. Licensable type of activity: activities of proctors.
2. Licensing body: the Ministry of Justice of the Republic of Tajikistan.
3. Additional requirements and terms for issuance of a license:
 - higher legal education;
 - at least two years of experience legal practice;
 - citizenship of the Republic of Tajikistan;
 - cancelled or cleared criminal record for intentional crime;
 - positive opinion of the qualification attestation commission.

In the case of more than two complaints on reckless disregard of the licensee received by the Ministry of Justice, the license shall be cancelled.

Procedure of passing qualification evaluation, establishment of the qualification evaluation commission shall be approved by the Ministry of Justice of the Republic of Tajikistan.

Chapter 48. Peculiarities of Licensing in the Area of Education

1. Licensable type of activity: activity in the area of education (except for the state pre-school institutions and general education)

- an application with the list of education programs, areas and specialties for training;
- educational establishment and other organizations of occupational training shall submit an extract from the decision of the academic council (pedagogical council) on the possibility to arrange training on the main and additional programs of occupational education that are included for licensing; professional religious educational establishments and other organizations (involved in religious education) and organized by religious organizations (associations) shall represent the management of certain confessions;
- an institution with an education department in charge of occupational training shall submit additional copy of the approved regulations;
- information on the structure of the institution and other organizations of the applicant, staff numbers, estimated number of trainees, alumnus;
- information on the buildings and premises, facilities for sports, basic military training, hostels, provision of the trainees and workers with food and medical care, etc. with the submission of documents confirming the right of the license applicant to purchase or dispose required training resource base for the license duration term;
- opinion of the state sanitary epidemiological control bodies of the Republic of Tajikistan and the state fire safety inspection of the Republic of Tajikistan on the feasibility of the premises and buildings for educational process;
- information on the staffing of the educational process, qualification of pedagogical staff, and terms of employment (for the license applicants with the intention to conduct training based on the postgraduate occupational training);
- approval and decision of the government bodies in charge of education in the state of the founding university and the university branch located in the state (for branches of the universities of the Commonwealth of Independent States members);
- curriculum and programs implemented in occupational education;
- positive opinion of the authorized body for professional religious educational organizations and institutions (engaged in religious education) and established by religious organizations.

11. For the acquisition of a license by educational institutions and other organizations of secondary, higher, supplementary, occupational education and their branches using distance learning technologies, in addition to the documents indicated in the paragraph 10:

- general information on the educational establishment, its branches and representative offices;
- curricula and programs of occupational distance learning programs;
- information on the provision with modern information technology resources;
- information on the provision with special laboratories, classrooms, offices and publishing facilities.

12. The licensing commission, having analyzed the submitted documents, shall perform the expertise of material-technical, staff, scientific-methodical, financial capacity, provision with literature, occupational education programs, preparedness of educational institutions and other organizations to receive students and trainees.

13. The licensing commission shall analyze the main areas of licensable educational establishment and other organizations, establish compliance with the current regulations, and based on the above shall issue positive opinion (positive or negative) to the body in charge of attestation of educational establishments under the Ministry of Education of the Republic of Tajikistan, or regional, city, rayon departments of education.

14. Decisions to issue or deny a license shall be taken by the licensing body based on the opinion of the licensing expert commission and the decision of the council of the attestation body under the Ministry of Education of the Republic of Tajikistan, regional, city, rayon departments (units) of education.

15. Decision of the body in charge of attestation of educational establishments under the Ministry of Finance of the Republic of Tajikistan, and the draft decree to issue a license shall be

Tajikistan and the education department (uoft)the region, city and rayon, accordingly, to the head of the department and head of the education unit. After the approval of the decision of the Council and signed decree of the Minister of Education of the Republic of Tajikistan, head of the department and head of the education unit, and other organizations shall receive licenses with annexes.

- availability of the state plate-mark on jewelry and other household wares from precious metals and precious stones, or a certificate of compliance (for wholesale and retail trade);
- availability of relevant premises and conditions for storage and sale.

5. The licensing body shall have the following rights in licensing processing of scrap and waste of precious metals to end products, refinement of precious metals, recuperation of precious metals; cornering of jewelry and other household wares from precious metals and precious stones, and scrap of such goods:

- performing expertise to confirm compliance of the terms of activities with the established requirements on licensable types of activities;
- defining the composition and regulation of activities of experts in charge of licensing, sending experts for the on-site expertise.

Chapter 50. Peculiarities of Licensing Activities in the Area of Television and Radio Broadcasting, and Production of Audio and Video Works.

1. Licensable type of activity: television and radio broadcasting, audio and video works.
2. Activities in the area of television and radio broadcasting, audio and video works shall cover the following:
 - production of television and radio programs;
 - dissemination of television and radio programs;
 - production of audio and video products (production of audio (phonogram), video and audio video products).
3. Licensing body: Committee on Television and Radio Broadcasting under the Government of the Republic of Tajikistan.
4. The Committee on Television and Radio Broadcasting under the Government of the Republic of Tajikistan can delegate the authority to issue licenses to relevant subordinate departments.
5. This procedure shall apply in full performing television and radio broadcasting using the ether, cable, wire, satellite, digital multichannel (multimedia) linkage, including internet and other types of mass media telecommunication means, as well as in the production of audio (phonogram), video and audio – video products any type of media.
6. The effect of this procedure shall apply to all types and subtypes activities in the area of television broadcasting, excluding activities of television and radio organizations established by the Government of the Republic of Tajikistan, as well as closed television and radio broadcasting systems (production, technology, training, scientific, service), except for the especially established systems in the hotels, hotel compounds, holiday houses, other facilities and organizations for collective reception for fee.
7. Organizers of close television broadcasting systems (production, technology, training, scientific, service, etc.) operating without a license shall have to submit written notices to the licensing body on the organization of such systems in thirty days prior to the beginning of their operations indicating the following:
 - the person in charge of such operations;
 - area of system service indicating maximum number of consumers;
 - preliminary topic and specialization of the system.
8. Issue of the license for the operation of television broadcasting at limited radio frequency in

- program goals and objectives of broadcasting, preliminary topics and specialization of television or radio programs, broadcasting methods, types of audio, audiovisual products; v
- audience (territory covered by broadcasting (city, rayon, etc.), category of viewers and listeners, for whom broadcasting is organized, sale of audiovisual products);
- broadcasting methods (on-air, cable, multimedia, wire, etc.).

10. The following additional documents shall be attached to the application:

- list of technology equipment used for television broadcasting, production of audio, audiovisual products;
- information on the financing source;
- information on the main technical indicators of the preparation means and development of television and radio broadcasting, audiovisual products;
- information on the earlier received licenses for the television broadcasting activities available with the applicant, information on the mass media established by the applicant, as well as the list of mass media (organizations), in which the applicant is a co-founder or an owner of the package of shares;
- certificate of compliance of the indicators (parameters) of the equipment used with the standard requirements;
- information on the dissemination of additional and secondary information in the composition of the broadcasting signal.

11. Licenses shall not be issued in the case of free broadcasting frequency in the given region.

12. Dissemination (translation and retransmission) of foreign television and radio broadcasting organizations in the territory of the Republic of Tajikistan shall be performed given a license of the licensing body and based on the international legal acts on the cooperation in the area of television and radio broadcasting in accordance with the agreements between domestic and foreign television and radio broadcasting organizations.

13. Television and radio broadcasting organizations possessing own transmission means and licenses shall have to approach the Ministry of Communication in order to receive relevant licenses for the use of radio frequencies.

14. In addition to the requirements set by legislative acts of the Republic of Tajikistan related to the television and radio broadcasting, other mass media, licenses for the television and radio broadcasting operations shall include the following conditions:

- the license applicant (television and radio broadcasting organization) shall not change its specialization and broadcasting category in the process of its operation without an approval of the licensing body;
- the licensee shall .000003 70 broadcasting is des5(right D (dio b715c .0002 Tw (a co-es5ic

Chapter 51. Peculiarities of Licensing of Activities on Acquisition, Sale, Use, Utilization and Disposal of Substances Destroying the Ozone Screen, and Products Containing these Substances, as well as all Types of Activities Related to the Installation, Maintenance and Repairs of the Equipment Working Using Substances Destroying the Ozone Screen

1. Licensable type of activity: acquisition, sale, use, utilization and disposal of substances destroying Ozone screen, and products containing these substances

- a document confirming the right to use relevant premises for stock market operations.
- 4. Additional licensing requirements and conditions.
 - compliance with the rules of exchange trade;
- availability of re

- insurance against commercial and financial risks, positive opinion and execution of the following insurance contracts: risks of insured persons incurred due to bankruptcy of their debtors or incapacity (except for insolvency) of debtors to pay their debts within the agreed terms; risks of losses incurred by insured persons due to outages during their operations or reduction of their operations;

risks of losses by insured persons due to the occurrence of unexpected expenditures; risks not covered by the first, second, and third subparagraphs of this paragraph and not considered as risks, hence, a positive opinion and execution of insurance contracts comprise other types of insurance activities;

- insurance against the risk of legal costs, including legal costs;

- other types of property insurance, in addition to those listed in the subparagraphs of this paragraph;

6) in insuring responsibilities licenses shall be issued for the following types of insurance operations:

- insurance of the civil liability of the transport owners a positive opinion and execution of

- a written confirmation of the authorized body of the relevant foreign state on the fact that the foreign insurance company possesses a valid license for insurance activities indicating types of insurance activities. This document shall be legalized according to the established order.
 - officially published balances for the three previous years;
- 2) foreign citizens:
- bank statement or a different official document confirming financial

SECTION III. A LIST OF SPECIAL ACTIVITIES REQUIRING THE LICENCE

Chapter 56. Licensing peculiarities of lending institutions (including banking institutions)

1. Activities to be licensed:

- activities related to banking transactions;
- activities related to foreign currency transactions.

2. The license shall describe banking transactions and types of activities stipulated in Article 2 of the Law "On banks and banking" and articles 20, 35 of the Law of the Republic of Tajikistan on microfinance institutions that banks, non-bank finance institutions, micro crediting deposit institutions and micro lending institutions are authorized for, as well as foreign exchange used to carry out above transactions.

3. License issuing authority: Central Bank of the Republic of Tajikistan.

4. Licensing procedure of activities related to banking transactions based on foreign exchange shall be regulated by the legislation of the Republic of Tajikistan on banks and banking, foreign exchange regulation and foreign exchange control.

5. License fee shall be applied for licenses issued for banking transactions within the amount of 50 minimal salaries.

6. License fee shall be applied for licenses issued for foreign exchange transactions within the amount of 50 minimal salaries.

Chapter 57. Licensing peculiarities in production and trade of ethanol, liquor and alcoholic beverages

1. License requiring activity: operation in the area of production and trade of ethanol, liquor and alcoholic beverages.

2. Production and trade of ethanol, liquor and alcoholic beverages envisage following activities:

- production, import, export and whole-sale of ethanol;
- production, import, export and whole-sale of liquor;
- retail sale of alcoholic beverages (including bottling);
- production, import and export of beer including bottling (including bottling) (port and liquor);)Tj

- technological equipment shall comply with standards applied to production process of beer, wine, champagne, liquor and vodka, cognac, brandy and other alcoholic beverages;
 - existing production recordkeeping devices, installed technically feasible facilities and designed to monitor production capacities for tax collection;
 - abidance by state standards, normative and technical terms;
 - consumption of ethanol by designation;
 - carrying out license authorized activities as of the moment of obtaining the license;
- 2) For retail sale of alcohol beverages:
- available conformity certificate for sale of alcohol products;
 - available excise marks for alcohol beverages;
 - available venue for trading, owned or otherwise legally assigned: venues, stores, kiosks, storages, outlets or fixed public catering facilities;
 - conditions of trading venue ensuring environmental safety, life and public health safety, as well as assuring quality of beverages sold;
 - available invoice;
 - sale of alcohol beverages based on excise marks.
6. License fee is established for issuing licenses to companies trading ethanol, liquor and alcohol beverages irrespective of forms of ownership within the amount of 70 minimal salaries for each license effective year.

Chapter 58. Licensing peculiarities in the area of electric communication

1. License requiring activity: activities related to electric communication.
2. License for certain activities in the area of communication can be general and individual.
 - 1) General license includes:
 - personal world communication-satellite services;
 - intercity telephone communication services via operator network;
 - international telephone communication services via operator network;
 - trunking communication services (disaggregated by each standard);
 - telematic services (except for IP-telephony);
 - data transmitting services (including telegraph communication and IP-telephony) via operator network;
 - network production, manufacturing and installation services, electric communication systems and facilities, radio communication and transmission, TV;
 - hook-up, commissioning and technical maintenance of mini ATC;
 - hook-up, commissioning and technical maintenance of radio-electronic facilities (radio stations, satellite and dial-telephones, land stations, radio modems, etc.).
 - 2) Individual licensing includes:
 - engineering, construction, operation of networks and communication facilities (including provision of channels and communication circuits);
 - local telephone communication services;
 - intercity telephone communication services;
 - international telephone communication services;
 - data transmission services (including telegraph communication and IP-telephony);
 - common use mobile cellular communication services, disaggregated by each standard;
 - personal radio communication services;
 - TV and radio transmission network leasing services.
3. License issuing authority: State monitoring and regulating body in the area of communication and informatization
4. In addition to information stipulated in paragraph 1, Chapter 3 of this Provision, the form of the license includes information on:

- license category (standard or individual);
- number of telephone, fax and, E-mail;
- licensed territory.

5. Standard license shall contain the following requirements and provisions:

- type of activity in the area of communication, authorized under the license;
- territory, covered by the license;
- license expiration date;
- procedure and terms of submitting license performance reports based on the template designed by license issuing body;
- procedure and terms of payment of ~~any~~ license fees established for issuing license;
- ensuring certification of technical communication facilities in a manner, established by the legislation of the Republic of Tajikistan;
- ensuring existing quality standards of ~~services~~ delivered in compliance with licensed activity;
- delivery of service procedures, tariffs and reference data to users, including via mass media;
- ensuring confidentiality of telephone communications, telegraph and other communications transmitted via network, information security, including security and safety of communication facilities; provision of inquired information on licensee.

7. Licensee shall be liable for submitting financial and statistical information in an established format to an authorized body on a quarterly basis no later than ~~10~~¹⁰ of each month of subsequent quarter.

8. Licensee shall be liable for ensuring confidentiality of communications transmitted via its networks, and other relevant data, if not otherwise envisaged by the legislation of the Republic of Tajikistan.

9. Licensee shall be liable for providing copies of the license at the facilities and customer service sites.

n - type of activity the ar75of communication, aut36rv

administration manager;

- IP-telephony services shall comply with MOS criteria, while quality of IP-telephony services shall be consistent with following criteria:

Pure signal;

Transmitted voice package shall not exceed 2 % of total package transmitted;

Interval between communication of the first subscriber and hearing time of the second subscriber shall be no less than 150-200 ms;

Transition density shall not exceed 16 kb/s.

19. License issuing body shall introduce amendments in licensing regulations due to adoption of new standards, norms and terms of communication network operation.

20. License issuing body shall inform the licensee on the terms and procedure of implementing above new amendments.

21. Based on fellow licensee application individual license shall be issued for the period of 3 to 5 years.

22. License shall not be required if:

- activity is related to disaster-control operations, epidemics, major accidents, threatening population's well-being and requiring rescue and accident recovery works;

- set-up and operation of telecommunication networks is engaged for the purposes of public administration, defense, security and law enforcement;

- in setting up interagency telecommunication network.

23. operations in the area of communication that requires the license can be carried out throughout the Republic of Tajikistan; except otherwise provided in the fellow licensee application and if radiofrequency and frequency resources are available.

24. To obtain an individual license a fellow licensee shall submit following documents;

- a list of technical communication facilities with specifications, range and radio frequency ratings (if used);

- telecommunication networking program and network expansion forecast indicating a number of subscribers, scope of traffic gated via long distance terminals, systems and data transmission networks, coverage range, and technical specifications of specific networks or communication structures;

- documents verifying fellow licensee's capacity to meet licensing terms;

- feasibility study of operations to be implemented in the telecommunication area;

- executive summary reflecting on such technical issues as key principles and communication chart, features of equipment and services used and performance indicators as income and expenditure, benefits and payback time;

- positive opinion of respective authorities on the use and monitoring of radio frequencies in the Republic of Tajikistan, authorization for using communication electronics;

- in the event of presumed deployment of

Chapter 59. Peculiarities of mining licensing

1. Licensing activity: activities related to the use of mining resources.
2. Activities related to the use of mining resources shall include:
 - geological survey, including exploration, appraisal and prospecting of properties of mineral resources and other geological studies;
 - mining;
 - deployment and

The license can be issued effective entire property or its parts. Development of the same property by different users shall be carried out based on coordinated technological schedule,

17. License, issued for mining within one month shall be registered in the Ministry of Agriculture and Environment of the Republic of Tajikistan, Chief Department on state inspection over safety of operations industry and mining surveillance under the Government of the Republic of Tajikistan, State Fund of geological data of Republic of Tajikistan and complete package of documents shall be given to the licensee for custody.

18. Once the license is issued, its holder shall have the right to obtain necessary geological data on the provided property on a paid basis. In the event of lack of available reports, copies of materials (reports), at licensee's expense shall be provided.

19. The size of license fees for issuing mining license shall be fixed and once-only payment to be paid at following rates:

- For geological exploration, evaluation and prospecting eighty minimal salaries;
- for collection of mineralogical, paleontological and mining materials twenty minimal salaries;
- for oil and gas mining one hundred minimal salaries;
- for coal mining eighty minimal salaries;
- for the use of other mineral resources one hundred minimal salaries;
- for the use of non-mineral resources eighty minimal salaries;
- for the use of tailings of mining and processing sixty minimal salaries;
- for the use of commonly prevailing minerals forty minimal salaries;
- for mining of minerals on the basis of voluntary bringing sixty minimal salaries.

Note: For obtaining the license for activities comprised of several types of works, a charge of higher rate shall be applied.

20. Licensee shall commence operations under the license within maximum 1 year from the registration date.

Chapter 60. Licensing peculiarities on enjoying facilities of flora and fauna registered in the Red Book of the Republic of Tajikistan

1. Types of activities requiring licensing: activities related to the use of facilities, registered in the Red Book of the Republic of Tajikistan.

2. License issuing authority: State Inspection Agency on exploitation and protection of nature.

3. License on the use of facilities of flora and fauna registered in the Red Book of the Republic of Tajikistan shall be issued according to quotas annually endorsed by the Government of the Republic of Tajikistan and consistent with the legislation of the Republic of Tajikistan.

4. Terms and types of extracting objects of fauna shall be determined based on the purpose of their exploitation and not inflict damage to natural reproduction of these species and their habitat.

5. Tools and approaches of finding animals introduced in the Red Book of the Republic of Tajikistan to ensure selectivity of actions, reduce physical injury to other animals and minimize violation of their peace.

6. For providing the license for exploitation of forest resources, objects of flora and fauna, license fee in the amount of 50 minimal salaries shall be applied.

Chapter 61. Licensing peculiarities of works and services in the area of atomic energy

1. Type of activity to be licensed: works and services in the area of the use of atomic energy.

2. Activities, works and services in the area of the use of atomic energy shall include:

- generation of atomic energy;
- sale of atomic energy;
- application and transportation of atomic energy.

3. License issuing body: Academy of Sciences of the Republic of Tajikistan.

4. Additional relevant details on exploitation, production and application of atomic energy, described in the body of the license.

5. Additional documents required for issuing the license:

- positive opinion on sanitary and epidemiology surveillance as regards eligibility of premises and communication systems, special transport facilities used to implement stated activities, on existing safety equipment and coating;
 - copies of conformity certificates issued by certification authorities as regards products produced, manufactured and used including its transportation;
 - for foreign citizens, a document confirming notification of founding partners of a fellow licensee under established procedure;
 - a copy of efficiency certificate of the Agency on nuclear and radiation safety under Academy of Sciences of the Republic of Tajikistan;
 - positive opinion of health facility on mental health of the manager and contractors of given type of works.
6. Additional licensing requirements:
- available documents verifying eligibility of supervisors and contractors with specific qualification requirements that ensure adequate implementation of claimed activities.
 - available facilities consistent with sanitary and hygiene and engineering standards and regulations, envisaged for works performance and technical facilitation.
 - available accreditation certificate of the Nuclear and Radiation Safety Agency under Academy of Sciences of the Republic of Tajikistan.
7. Specific requirements to facilities shall be established by technical regulations and other normative documents under the legislation of the Republic of Tajikistan.
8. License fee shall be charged at the rate of twenty minimal salaries for issuance of the license.

Annex 1

To paragraph 8 of the Regulation on licensing peculiarities of certain types of activities

PROCEDURE

Of assigning accountability level in issuing license for road related activities

I. General Regulations

1. Critical Rating of works in hand shall be assigned at issuing license for road and engineering works depending on licensee's capacities to accomplish certain scope of operations.
2. Evaluation criteria shall include:
 - available professional personnel including those with qualification certificates;
 - available technical and other necessary equipment;

Critical Rating of types of activities and works during license validity can be decreased if terms of licensing are not followed or increased if claimed by the licensing entity in the event of positive appraisal report.

II. Critical Ratings of road facilities and types of works

Design, engineering and maintenance works on highway, railroad and road facility rehabilitation works:

1. Critical Rating I:

- design of principal structures (bridges over 40 m of length, tunnels, galleries, motor highways and railroads, including airports and airdromes);
- engineering of bridges over 50 m length, tunnels, galleries, roads category I, I₁, I₂, construction of railroads, airports and airdromes.

2. Critical Rating II:

- design works (bridges over 50 m length, roads and streets of category III, municipal streets, pipelines, overhead roads from 0-100 m.);
- processing of road face and concrete

3. Critical Rating III:

- design works,
- construction of bridges up to 30 m.;
- construction categories II and highland express roads, construction of non-public roads.

4. Critical Rating IV: inter-block driveways, inter-farm motor ways, access roads up to 1 km., water discharge pipelines across motor roads, discharge of non-mudflow prone watercourses with up to 5 kb.m./sec. of water flow, infrastructure development.

Analysis of technical conditions of structures and formations:

5. Critical Rating I: detailed analysis of Critical Rating Facilities and constructions as regards their bearing capacities and operations, design and blocks testing, research works, technical reinforcement, reconstruction and rehabilitation solutions.

6. Critical Rating II: preliminary survey of constructions and structures with assessment of their physical conditions followed by an opinion and recommendations on reconstruction and reinforcement of constructions.

7. Critical Rating III: urgent appraisal of constructions and structures including their physical conditions and followed by an opinion based on a long term operation and reconstruction of non wearable constructions.

8. Critical Rating IV: visual assessment of constructions and structures followed by works and damage report development for carry out current and capital renovation.

Annex 2

To paragraph 14 chapter 65 of Regulation on Peculiarities of Certain Types of Activities

Type of mining license issued in the Republic of Tajikistan

EMBLEM
LICENSE
FOR MINING, Republic of Tajikistan

Issued by the Government of the Republic of Tajikistan

(name of the mine user)

Property _____
(name of the property, minerals)

For _____
(type of license)

License validity:
To be commenced " _____ " _____
Expired on " ____ " _____

Serial number _____
On behalf of the Government of _____

11. _____
(monitoring procedure)

12. _____
(provisions for license renewal)

13. _____
(scopes and types of production and industrial tailings discharged to the earth
Sewage waters environmental impact assessment)

14. _____
(other provisions)

On behalf of the Government of the Republic of Tajikistan

(position)

(Last name, name, patronymic, signature)
" _____ "