

This Law, except for paragraphs (2), (3), (4), (6) and (7) of Article 6, paragraph (4) of Article 7 and paragraph (8) of Article 8 shall be enacted as of September 1, 2023.

The provisions of paragraphs 2), 3), 4), 6) and 7) of Article 6, paragraph 4) of Article 7 and paragraph 8) of Article 8 of this Law shall be enacted after official publication.

Law of the Republic of Tajikistan

PERMIT SYSTEM

(as amended by Law [No. 2015](#) of 27.12.2023 and [No. 2056](#) of 20.06.2024)

Adopted by resolution of the MN MORT

dated June 7, 2023, [No. 1018](#)

To approve by Resolution of MM MORT.

dated June 16, 2023, [#385](#)

This Law establishes legal, organizational and economic foundations of the permit system, criteria for determining the types of activities and (or) actions regulated in the Republic of Tajikistan under the permit system, and is aimed at ensuring compliance with standards, permit conditions and qualification requirements and conditions, ensuring the protection of the rights and interests of individuals, society and the state.

CHAPTER 1. GENERAL PROVISIONS

Article 1: Basic concepts

The following basic concepts shall be used in this Law:

1) **execution of acts of approval and coordination-administrative** actions of one-time nature of authorization bodies on approval of certain activities, actions and (or) acts of economic entities;

2) **applicant** - an economic entity that has applied to the permitting authorities with an application for a license, permit, acts of approval and (or) consent and acceptance of notifications to carry out a specific type of activity and (or) action;

3) **acceptance of notification** - administrative action of one-time nature of authorized state bodies on acceptance of notification and attached documents, sent by business entities regarding notification of the beginning of certain types of entrepreneurial activities and performance of certain actions;

4) **holder of an authorization document** - a business entity that has a valid authorization document;

5) **license** - a special administrative document of a permissive nature issued by the **licensing** authority to business entities to carry out certain types of activities or actions associated with a high level of risk, in compliance with permissive conditions and qualification requirements and conditions;

6) **licensee** - a business entity that holds a valid license to perform a special activity or action;

7) **work or service requiring an authorization document** - work or service the performance of which is prohibited without obtaining an authorization document in the manner prescribed by this Law;

8) **permitting authorities** - executive bodies of state power authorized to issue licenses, permits, perform acts of approval and coordination and accept notifications;

9) **permissive executive bodies** - executive bodies of state power authorized to accept applications for types of activities, documents of permissive nature of which are issued by the resolution or order of the Government of the Republic of Tajikistan;

(10) **Approval by default** - the procedure by consequence of which the license, permit, approval and approval act and acceptance of notices shall be deemed to have been issued, reissued and renewed if the permitting authority has not made a decision on the application with notice to the applicant within the terms and conditions stipulated in this Act;

11) **goods requiring a permit document** - goods imported into the territory of the Republic of Tajikistan and exported from the territory of the Republic of Tajikistan, as well as their disposal shall be carried out on the basis of a permit document obtained in accordance with the requirements of this Law;

12) **licensed type of activity** - a special activity or action for implementation of which on the territory of the Republic of Tajikistan it is required to obtain a license in accordance with the requirement of this Law;

13) **permitting system** - a system of activities of the permitting authorities to review the application for issuance of licenses, permitting documents, execution of acts of approval and coordination, as well as issuance of licenses, permitting documents, execution of acts of approval and coordination, reissuance, suspension, renewal of licenses, and annulment of licenses, permitting documents, execution of acts of approval and coordination, acceptance of notifications of economic entities;

14) **state information system for issuance of licenses, permit documents, acts of approval and coordination, received notifications (hereinafter - state information system)** - a set of software tools, methods and procedures for receiving electronic request for issuance of licenses, permit documents, acts of approval and coordination and received notifications, receiving, processing, transferring, storing, checking the integrity of submitted documents and processing of licenses, permit documents, acts of approval and coordination and received notifications, receiving, processing, transferring, storing, checking the integrity of submitted documents and processing licenses, permit documents, acts of approval and

15) **electronic system for application submission (hereinafter - electronic system)** - information system used by the applicant to submit an application for granting, reissuance, termination, issuance of a duplicate license, permit document, as well as for passing the approval and approval procedure, sending notifications in digital form, in online mode, which is a part of the state system of issuing licenses, permit documents, acts of approval and approval, sending notifications;

16) **notification** - a document drawn up by the applicant in an approved form and informing about the beginning or termination of a certain type of activity or action;

17) **business entity** - a legal entity (regardless of the form of ownership), including a branch and representative office of a foreign legal entity and an individual entrepreneur engaged in entrepreneurial activity;

18) **qualification requirements and conditions** - a set of established requirements and conditions, the fulfillment of which is mandatory for the licensee, the person who has received the permit document and the person who has undergone the procedure of approval and coordination, as well as notification;

19) **registers of licenses, permissive documents, acts of approval and coordination and accepted notifications** - a set of information on licenses, permissive documents, acts of approval and coordination granted, re-issued, suspended, renewed and terminated (annulled), notifications received, being a part of the state information system;

20) **unified state register of licenses, permissive documents, acts of approval and coordination, accepted notifications (hereinafter - unified state register)** - an exhaustive list of all licenses, permissive documents, acts of approval and coordination, accepted notifications, which is a generalized database of data and information on all types of licenses, permissive documents, acts of approval and coordination and accepted notifications;

21) **permissive document** - an administrative document of permissive nature in the form of a permit, certificate, conclusion, certificate, attestation, pass, registration, assignment, decision and other type of document of permissive nature, issued by the permitting authorities to a business entity to carry out a certain type of activity or action, for certain types of goods, works and services with indication of its validity period with mandatory compliance with permissive conditions and qualified requirements and conditions;

22) **documents of permissive nature** - licenses, permits, acts of approval and coordination, notifications;

23) **permit conditions** - a set of requirements and conditions arising from this Law, other normative legal acts of the Republic of Tajikistan in the sphere of regulation of the permit system and fulfillment of which by the applicant is mandatory when obtaining a permit document.

Article 2. Legislation of the Republic of Tajikistan on the permit system

The legislation of the Republic of Tajikistan on the permit system is based on the Constitution of the Republic of Tajikistan and consists of this Law, other normative legal acts of the Republic of Tajikistan, as well as international legal acts recognized by Tajikistan.

Article 3: Scope of this Law

The effect of this Law shall apply to activities or actions provided for in the unified state register of permits, authorizations, approval and approval acts, and notifications received.

Article 4: Criteria for determining the types of activities and (or) actions regulated in the Republic of Tajikistan under the permit system

1. The criteria for determining the types of activities and (or) actions, as well as goods, works and services requiring documents of a permissive nature include activities or actions that are based on risk and their implementation may cause damage to the legitimate rights and interests of persons, the environment, defense and security of the state, historical and cultural heritage, and their regulation is impossible by means other than the permit system.

2. Activities and (or) actions that require a license, permit, approval and consent act, notification are activities and (or) actions that meet one of the following criteria:

1) the need to utilize limited public resources;

2) the need to establish qualification requirements and conditions of activities and (or) actions, supervision of their observance in the course of activities and (or) actions in order to prevent damage to the legitimate rights and interests of citizens, environment, defense and security of the state, historical and cultural heritage.

Article 5: Unified State Register of Licenses, Permits, Acts of Approval and Coordination, Notifications Received and the Procedure for Amending it

1. The unified state register of permits, authorization documents, acts of approval and coordination, notifications received, (hereinafter - the unified state register) shall be established by this Law (attached).

2. The following information shall be specified in the Unified State Register:

1) type of licensed activities and actions, subtypes of licensed activities and actions;

2) list of authorization documents for activities and actions, subtypes of activities and actions requiring authorization documents;

3) list of acts of approval and coordination for performance of activities and actions, sub-activities of activities and actions for performance of which acts of approval and coordination are required;

(4) A list of notices received for activities and actions;

5) the amount of the fee for licensing, issuance of the permit document, acts of approval and coordination, receipt of notification with an indicator for calculations (fee for review of the application, one-time fee for issuance and subsequent annual fee for maintenance of the license, permit document, acts of approval and coordination, receipt of notification).

3. Introduction (introduction) of documents of permissive nature, their modification and deletion shall be carried out only by making amendments and additions to the unified state register.

4. Authorization bodies shall not be entitled to issue to business entities documents of permissive nature that are not contained in the unified state register. Issuance of authorization documents to business entities by state bodies not provided for in the unified state register shall be prohibited.

Article 6: Competence of the Government of the Republic of Tajikistan in the field of the permit system

The competence of the Government of the Republic of Tajikistan in the field of the permit system includes:

1) development of state policy in the field of the permit system;

2) determination of the authorized state body in the field of regulation of the permit system;

3) Definition of permitting authorities;

4) approval of the procedure for issuance of licenses, permits, acts of approval and coordination, acceptance of notifications;

5) issuance of license and permit document;

6) approval of the order of inspection of activity of state bodies on observance of normative legal acts of the Republic of Tajikistan in the field of regulation of the permit system;

7) approval of rules for keeping the register of licenses, permits, acts of approval and coordination, acceptance of notifications;

8) implementation of other competence provided for by the legislation of the Republic of Tajikistan.

Article 7: Powers of the authorized state body in the field of regulation of the permit system

The powers of the authorized state agency in regulating the permit system include:

- 1) implementation of the state policy in the field of regulation of the permit system;
- 2) monitoring of implementation of this Law and other normative legal acts adopted in pursuance of this Law and on its results submission of annual information to the Government of the Republic of Tajikistan;
- 3) inspection of activity of state bodies on observance of normative legal acts of the Republic of Tajikistan in the field of regulation of the permit system;
- 4) approval of the standard form of application for license, permit document, acts of approval and coordination, acceptance of notifications;
- 5) making proposals on improvement of normative legal acts of the Republic of Tajikistan in the field of regulation of the permit system;
- 6) exercise of other powers provided for by the legislation of the Republic of Tajikistan.

Article 8: Powers of authorization bodies

The powers of the permitting authorities include:

- 1) review of applications for licenses permits acts of approval and coordination acceptance of notifications;
- 2) issuance of licenses, permits, approval and approval acts, acceptance of notifications;
- 3) reissuance of licenses and permits;
- 4) suspension of the license and permit document;
- 5) reinstatement of the validity of the license and permit document;
- 6) issuance of a duplicate of the license and permit document;
- 7) refusal to issue a license and permit document, to perform acts of approval and consent, to accept notifications;
- 8) maintenance of registers of licenses, permits, acts of approval and coordination, notifications received;
- 9) approval, in coordination with the authorized state body in the field of regulation of the permit system, of license forms, permit documents, acts of approval and coordination, documents confirming acceptance of notifications;
- 10) requesting information from the licensee, holder of the permit document, business entity that has undergone the approval and approval procedure, as well as the notification procedure, on compliance with the permit conditions and qualification requirements and conditions;
- 11) verification of compliance with the requirements and conditions of issuance of licenses, permits, acts of approval and coordination, acceptance of notifications;
- 12) exercise of other powers provided for by the legislation of the Republic of Tajikistan.

Article 9: Powers of authorizing executive bodies

In cases established by this Law, the competence of the Government of the Republic of Tajikistan to issue documents of permissive nature shall be exercised by permissive executive bodies.

Article 10. Exercise of control

1. Control over compliance with permit conditions, qualification requirements and conditions shall be carried out by the licensing authorities within the scope of their powers in the form of monitoring, inspection, requesting relevant information from the economic entity, requesting their statistical data, analysis of the economic entity's activities.

2. Verification of compliance with authorization conditions, qualification requirements and conditions shall be carried out in the manner prescribed by the Law of the Republic of Tajikistan "On verification of activity of economic entities".

Article 11. Validity of authorization documents

1. The type of activity and (or) actions for the implementation of which the documents of permissive nature have been issued shall be carried out only by their holder.

2. Documents of permissive nature are valid on the territory of the Republic of Tajikistan.

3. In cases stipulated by the legislation of the Republic of Tajikistan and (or) international legal acts recognized by Tajikistan, documents of permissive nature may also operate outside the territory of the Republic of Tajikistan.

4. Foreign economic entities may obtain documents of permissive nature on the conditions established for economic entities of the Republic of Tajikistan, unless otherwise provided for by the legislation of the Republic of Tajikistan. Foreign economic entities must have a branch or representation in the Republic of Tajikistan to obtain documents of permissive nature.

5. It is prohibited to issue simultaneously a license and (or) other documents of permissive nature, except for cases when a document of permissive nature is a one-time document and is issued for the performance of certain activities and (or) actions stipulated by the issued license.

Article 12. Validity period of authorization documents

1. Licenses and permitting documents, except for the license for the activity on the use of subsoil, are issued for an unlimited period of validity. The term of validity of the license for activity on subsoil use is determined by the Government of the Republic of Tajikistan.

2. The term of validity of the license and permit document of single action expires from the moment of performance of single activity and (or) action established by the legislation of the Republic of Tajikistan.

3. The term of validity of the license and permit shall be terminated on the grounds provided for by this Law.

(4) Acts of approval and concurrence, notifications are of a one-time nature and are perpetual.

Article 13. Fee for issuance of authorization documents

1. The fee for consideration of application for issuance of license, permit document, acceptance of acts of approval and coordination, notification, as well as for issuance of license, permit document, maintenance of license and permit document, acceptance of acts of approval and coordination, notification shall be paid in a non-cash manner in accordance with the indicators for calculations provided for in the Annex to this Law and shall be transferred to the relevant state budget in accordance with the procedure for issuance of licenses, permit documents, as well as the procedure for issuance of licenses, permit *documents* and notification.

2. The fee for consideration of the application for issuance of permit documents shall not be refunded.

3. For the issuance by the Government of the Republic of Tajikistan of a license for activities related to the use of subsoil, for the implementation of activities that include several types of works, only the maximum amount provided for in the Annex to this Law shall be paid (*as amended by the Law of the RT dated 20.06.2024 No. 2056*).

4. The fee for issuance of permit documents shall not include the cost of diagnostics, expertise, analyses and laboratory tests conducted during the issuance of permit documents. The cost of such diagnostics, expert examinations, analyses and laboratory tests shall be published on the official website of the authorized state body in the field of regulation of the permit system and relevant licensing bodies.

Article 14. Registers of licenses, permits, acts of approval and consent, and notifications accepted

1. Permit authorities shall maintain registers of licenses, permit documents, acts of approval and coordination, accepted notifications (hereinafter - registers of permit documents) in electronic form in the state information system on a permanent basis.

2. State bodies for the exercise of their powers shall be obliged to obtain information on licenses, permits, acts of approval and coordination and accepted notifications from the registers of documents of permissive nature without requesting confirmation of the said information from economic entities.

3. Registers of permit documents are one of the bases for the formation of a system for assessing the risk level of economic entities and for planning inspections by permit authorities.

(4) The information contained in the registers of authorization documents shall be open and available to the public.

Article 15. General rules for the issuance of authorization documents

(1) The general rules for issuance of authorization documents shall be established by this Law and the procedure for issuance of authorization documents and shall include:

- 1) submitting an application for authorization documents;
 - 2) conditions and requirements for issuance of authorization documents;
 - 3) a list of documents required for obtaining authorization documents;
 - 4) types of activities and actions that require authorization documents;
 - 5) list of permitting authorities authorized to issue documents of permissive nature;
 - 6) the amount of the fee for documents of permissive nature in the form of an indicator for calculations;
 - 7) rights and obligations of business entities in obtaining documents of permissive nature;
 - 8) requirements to the form of authorization documents;
 - 9) procedure for issuance, reissuance, annulment, suspension, revocation or termination of documents of permissive nature established by laws;
 - 10) actions in the field of issuance of authorization documents.
2. Permit-issuing bodies shall not have the right to establish other rules for issuing documents of permissive nature not provided for by this Law and the procedure for issuing documents of permissive nature.

CHAPTER 2. PRINCIPLES OF THE PERMIT SYSTEM

Article 16. Principles of the permit system

The permit system is based on the following principles:

- 1) legality, objectivity, good faith and publicity;
- 2) protection of legitimate rights and interests of individuals and legal entities;
- 3) transparency of the authorization system;
- 4) establishment of uniform rules for issuance of authorization documents;
- 5) establishment of uniform conditions and requirements for issuance of authorization documents;
- 6) default approval;
- 7) ensuring a unified economic space on the territory of the state;
- 8) protection of the interests of the individual, society and the state in the field of regulation of the permit system;
- 9) analyzing the regulatory impact when introducing new types of authorization documents for certain types of activities and (or) actions;
- 10) interpretation of any doubts, inaccuracies and misunderstandings in regulatory legal acts concerning the permit system in the interests of the business entity.

Article 17. Transparency of the permit system

1. Permit authorities shall be obliged to provide information on amendments and additions to this Law, as well as to normative legal acts of the Republic of Tajikistan in the field of regulation of the permit system and to ensure transparency of their activities when making decisions on issuance or refusal to issue permit documents by involving economic entities in the process of development and discussion of proposed amendments and additions to normative legal acts of the Republic of Tajikistan, making decisions on issuance or refusal to issue or refuse to issue permit documents.

2. The permitting authorities shall ensure transparency of regulation of the permit system through free access of economic entities to draft normative legal acts of the Republic of Tajikistan being developed in the field of regulation of the permit system and their publication in accordance with the legislation of the Republic of Tajikistan.

(3) Information on documents of permitting nature established by this Law shall be placed on the official websites of the authorized state body in the field of regulation of the permitting system and permitting bodies.

4. The Unified State Register shall be placed on the official websites of the authorized state body in the field of regulation of the permitting system and permitting bodies and shall be accessible free of charge through the state information system.

Article 18. Approval by default

(1) A license (except for a license for subsoil use activities) or a permit document shall be deemed issued, acts of approval and coordination performed, and notification accepted, if the permitting authorities have not responded to the applicant about issuance of permit documents within the term established by this Law.

2. When the situation referred to in paragraph 1 of this Article arises, the permitting authorities shall issue documents of a permissive nature within a period of up to five working days after the expiry of the said period.

3. Upon expiry of the term for issuance of permit documents established by this Law and in the absence of written notification of the licensing authorities, the applicant may commence implementation of the activity or action for which the permit documents were requested on the basis of the certificate of acceptance of the application and attached documents by the licensing authorities.

4. The default approval procedure applies to all permit documents included in the unified state register.

5. The refusal to issue documents of permissive nature, carried out within the term established by this Law, shall exclude the right of a business entity to use the approval by default.

6. If after the issuance of permit documents, on the basis of which it is allowed to start or conduct business activities, the permitting authorities establish the fact of non-compliance with the conditions of the permit, the permitting authorities shall inform the licensee, the holder of the permit document, the person in respect of whom the approval and coordination procedures and notification procedures take place, about the identified deficiencies not later than one month. The period of elimination of identified deficiencies may not exceed sixty calendar days.

Article 19. Protection of legitimate interests of the individual, society and the state in the field of regulation of the permit system

1. The activity of the permit system shall be carried out in order to ensure a sufficient level of safety of activities or actions, to maximize the protection of consumer rights while minimizing the objectively necessary burden on economic entities.

2. Qualification requirements and conditions shall provide the minimum necessary set of quantitative and qualitative standards and indicators sufficient for the applicant to ensure the required level of safety of forthcoming activities and actions.

Article 20. Regulatory Impact Analysis

Draft normative legal acts of the Republic of Tajikistan in the field of regulation of the permit system according to the requirements of the legislation of the Republic of Tajikistan should be subjected to regulatory impact analysis.

CHAPTER 3. PROCEDURE FOR ISSUANCE, REISSUANCE, REVOCATION, SUSPENSION OR TERMINATION OF A LICENSE

Article 21. Documents required for obtaining a license

1. To obtain a license, the applicant or his authorized person shall submit the following documents to the licensing authorities:

- 1) application for a license specifying the type of activity or action;
- 2) copy of the document confirming the state registration of the business entity;
- 3) a document confirming payment of the application fee;

4) a power of attorney to represent the interests in the name of the authorized person in case the documents for obtaining a license are submitted by the applicant's representative.

2. An application for a license shall be submitted in writing or through an electronic system. The applicant is responsible for the authenticity of the submitted documents. When applying for a license through an electronic system, all required documents shall be submitted electronically.

3. The application for a license and the documents attached thereto shall be registered according to the list. Information on acceptance of the application and attached documents, certified by the signature of the responsible person and the stamp of the licensing authorities with a stamp on the date of registration, shall be sent (delivered) to the applicant or sent through the electronic system.

4. Depending on the nature of entrepreneurial activity, in addition to the documents specified in paragraph 1 of this Article, the procedure for issuance of documents of permissive nature may provide for submission of

other documents confirming the applicant's compliance with the established requirements and conditions for issuance of a license.

5. It shall be prohibited to require the applicant to submit documents not provided for by this Law and the procedure for issuance of documents of permissive nature.

6. The license application shall be returned to the business entity in the following cases if:

1) it is signed by a person not authorized to do so;

2) the documents are executed in violation of the requirements of this Article and the procedure for issuance of authorization documents.

7. Notification of the return of an application for a license shall be delivered or sent to the applicant in writing or by means of an electronic system within a period not exceeding five working days from the date of submission of the application, indicating the reason for the return of the application.

8. After elimination of the deficiencies that caused the return of the license application, the applicant may submit a new application and it shall be examined in accordance with the established procedure.

Article 22. Decision-making on issuance or refusal to issue a license

1. The decision to issue or refuse to issue a license, except for permits issued by the Government of the Republic of Tajikistan, shall be made within a period not exceeding thirty calendar days from the date of receipt of the application for a license with all necessary documents. The relevant decision shall be formalized by an act of the permitting authorities.

2. The term of making a decision on issuance or refusal to issue a license issued by the Government of the Republic of Tajikistan shall be determined in accordance with the procedure for issuance of documents of permissive nature.

(3) A shorter period of time for making a decision to issue or refuse to issue a license may be established in the procedure for issuing documents of a permissive nature.

(4) Information on the decision to issue a license within the term established by paragraph 1 of this Article shall be sent (delivered) to the applicant in writing and through the electronic system, indicating the details of the bank account and the deadline for payment of the license fee.

5. If a decision is made to refuse an application for a license, the licensing authorities shall be obliged to inform the applicant thereof, indicating the grounds for refusal, within the time limit set forth in paragraph 1 of this Article.

6. Within three days after the applicant submits the document confirming the payment of the license issuance fee, the license shall be issued to him/her. The license shall be issued by the licensing authorities to the applicant against his signature in the register of applications and issued licenses, and its electronic copy shall be sent to the applicant's e-mail address in accordance with the established procedure.

7. The grounds for refusal to issue a license shall be:

1) failure by the applicant to submit documents in full;

2) identification of unreliable information in the documents submitted by the applicant;

3) non-compliance of the facilities owned by the applicant (used by the applicant) with the permitting requirements;

4) a negative opinion of the relevant authorities on compliance with the conditions and requirements for the proposed type of activity.

8. It shall be prohibited to refuse to issue a license on other grounds not established by this Law.

9. The applicant has the right to appeal against the decision of the permitting authorities to refuse to issue a license in accordance with the legislation of the Republic of Tajikistan.

10. Upon expiry of the term provided for in paragraph 1 of this Article, in the absence of a written notice of refusal to issue a license, the license shall be deemed to have been issued and the applicant may carry out the activity for which he applied for a license on the principle of approval by default.

11. In case of approval by default, the licensing authorities shall be obliged to issue the license within the time limit set forth in paragraph 1 of this Article.

Article 23. Issuance or refusal to issue a license by the Government of the Republic of Tajikistan

1- The license, which is issued by the Government of the Republic of Tajikistan as a permitting authority, is executed by the order of the Government of the Republic of Tajikistan.

2. The order of the Government of the Republic of Tajikistan on issuance of the license shall specify:

1) term of the license;

2) determination of the authorized official to sign the license on behalf of the Government of the Republic of Tajikistan;

3) the deadline for signing the license by the authorized official;

4) obligation to sign an investment agreement with the authorized state if necessary.

3. refusal of the application for issuance of a license for subsoil use activities shall be executed by an appropriate act of the permitting executive bodies.

Article 24. Content of the license

The license shall state:

1) the name of the permitting authority;

2) name, legal form and location of the licensee - for a legal entity;

3) surname, first name, patronymic, location, elements (details) of the identity document - for an individual entrepreneur;

4) type of activity and actions subject to licensing (sub-type of activity and actions requiring a license);

5) license number and date of issuance of the license;

6) term of validity of the license;

7) taxpayer identification number and unified taxpayer identification number;

8) position, surname, name and patronymic of the head of the bodies;

9) space for signature and seal;

10) the date of the decision to issue the license.

Article 25. Re-issuance of license

1. In case of transformation of a legal entity, change of its name or location, or change of name or location of an individual entrepreneur, the licensee legal entity (its legal successor) or an individual entrepreneur shall be obliged not later than in fifteen days to submit an application for reissuance of the license, with attachment of documents confirming these changes, as well as the original of the previously issued license. The application for license reissuance shall be submitted in writing or through the electronic system for submitting applications.

2. Re-issuance of the license, except for the license issued by the Government of the Republic of Tajikistan, shall be carried out within ten working days from the date of sending by the licensee of the application.

3. The term of decision making on reissuance of the license issued by the Government of the Republic of Tajikistan shall be determined in accordance with the procedure for issuance of documents of licensing nature.

4. A fee in the amount of 1 (one) indicator for calculations as of the date of submission of the application for reissuance of the license shall be paid in accordance with the procedure established by Article 13 of this Law *(as amended by Law No. 2056 of 20.06.2024 of RT)*.

5. Prior to license reissuance, the licensee - a legal entity or (its legal successor) and (or) an individual entrepreneur, who submitted an application for license reissuance, shall perform or carry out the activity and (or) the action specified therein on the basis of a copy of the submitted application for license reissuance with a mark of the permitting authorities on the date of acceptance of the application.

6. When a license is re-issued, the licensing authorities shall make appropriate changes in the register of documents of permissive nature.

7. It shall be prohibited to require the applicant to submit other documents not provided for by this Article.

Article 26. Issuance of the second copy (duplicate) of the license

1. In case of loss or damage of the license, the second copy (duplicate) shall be issued on the basis of the licensee's application.

2. The permitting authorities shall be obliged to issue (send) a duplicate of the permit document within a period not exceeding five working days from the date of receipt of the application, the original license in case of damage, an announcement of the loss of the license published in the mass media, and a document confirming the payment by the applicant of the fee for the issuance of the second copy (duplicate) of the license. The application for issuance of the second copy (duplicate) of the license and the required documents shall be submitted in writing or through the electronic system.

3. Issuance of the second copy (duplicate) of the license shall be carried out by the Government of the Republic of Tajikistan in accordance with the order of issuance of documents of permissive nature.

4. For the issuance of the second copy (duplicate) of the license, a fee is paid in accordance with the procedure established by Article 13 of this Law in the amount of 1 (one) indicator for calculations as of the date of application (*as amended by Law No. 2056 of 20.06.2024 of RT*).

5. It shall be prohibited to require from the applicant other documents not provided for by this Article.

Article 27. Suspension of a license

1. Permitting bodies (in case of issuance of license by the Government of the Republic of Tajikistan - permitting executive bodies) may suspend the license in case of identification of two or more violations by the licensee of permitting conditions, qualification requirements and conditions, as well as requirements of part 1 of article 25 of this Law. Suspension of the license shall entail suspension of the licensee's activity for the period specified in Part 3 of this Article or until the entry into force of the court decision to cancel the license.

2. Regardless of the requirements of paragraph 1 of this Article, in exceptional cases, if it is necessary to prevent an immediate threat to life or health of the population, the occurrence of a man-made disaster, irreparable damage to natural objects or the state of the environment and prevention of these circumstances by other means is impossible, the license shall be suspended.

3. The licensing authorities (permitting executive bodies) shall be obliged to establish a three-month term for the licensee to eliminate violations that resulted in the suspension of the license. If the licensee fails to eliminate the specified violations within the specified period of time, the permitting authorities are obliged to apply to the court with a petition to cancel the license.

4. The licensee is obliged to eliminate the violations that caused the suspension of the license and to notify in writing the permitting authorities (permitting executive bodies). The permitting authorities (permitting executive bodies in coordination with the Government of the Republic of Tajikistan) are obliged within five working days after receipt of the notification to check its validity and in case of elimination of violations to make a decision on restoration of the license and notify the licensee in writing.

5. The decision to suspend a license or to send an application for annulment of a license to the court shall be communicated to the licensee in writing with a reasoned justification thereof not later than three days after its adoption.

6. The decision on suspension of the license can be appealed in the order established by the legislation of the Republic of Tajikistan.

7. If the court recognizes the suspension of a license as unreasonable, the licensing authorities shall be liable to the business entity in the amount of the damage caused by it.

Article 28. Termination of the license

1. The license shall be terminated in the following cases:

1) termination of the business entity's activity (liquidation of a legal entity, termination of an individual entrepreneur's activity) - from the date of termination of the business entity's activity;

2) expiration of the license for activities related to the use of subsoil - from the day following the day of expiration of the license.

2. In cases established by part 1 of this Article, a decision of permitting bodies (permitting executive bodies in coordination with the Government of the Republic of Tajikistan) on making changes in the registers of documents of permissive nature shall be adopted.

Article 29: Revocation of license

(1) A license shall be revoked for the following reasons and in the following manner:

1) on the basis of the licensee's application - by licensing authorities;

2) failure of the licensee to pay the license fee by the licensing authorities within fifteen working days from the date of the decision to issue the license;

(3) The licensee's failure to pay the annual license maintenance fee by December 31 of the calendar year to the permitting authorities;

4) in case of illegality of the decision of the licensing authorities to issue a license and (or) establishment of the fact of obtaining a license with the provision of false documents - by judicial authorities;

5) failure of the licensee to sign the investment agreement for subsoil use, violation of permitting and qualification requirements and conditions - by judicial authorities.

2. In case of suspension or cancellation of the license, permitting authorities (permitting executive bodies in coordination with the Government of the Republic of Tajikistan) shall place information on the decision taken in the register of documents of permitting nature.

CHAPTER 4. PROCEDURE FOR ISSUANCE, REISSUANCE, REVOCATION, SUSPENSION OR TERMINATION OF AN AUTHORIZATION DOCUMENT

Article 30. Documents required for obtaining an authorization document

1. To obtain a permit document, the applicant or a person authorized by him/her shall submit the following documents to the permitting authorities:

1) an application for obtaining an authorization document, which specifies the type of activity or actions that the business entity intends to carry out on the basis of the authorization document;

2) copy of the document confirming the state registration of the business entity;

3) a document confirming the payment of the fee (receipt) for consideration of the application;

4) a power of attorney to represent the interests in the name of the authorized person in case the documents for obtaining a license are submitted by the applicant's representative.

2. The application for a permit document shall be submitted in writing or through an electronic system. The applicant is responsible for the correctness of the submitted documents. When submitting an application for an authorization document through an electronic system, all documents shall be submitted electronically.

3. The application for an authorization document and the documents attached thereto shall be registered in accordance with the list. Information on acceptance of the application and attached documents, certified by the signature of the responsible person and the seal of the authorized bodies with a mark on the date of registration, (delivered) to the applicant or sent through the electronic system.

4. Depending on the nature of entrepreneurial activity, in addition to the documents specified in paragraph 1 of this Article, the procedure for issuance of documents of a permissive nature may provide for the submission of other documents confirming the applicant's compliance with the established requirements and conditions for issuance of a permit document.

5. It shall be prohibited to require the applicant to submit documents not provided for by this Law and the procedure for issuance of documents of permissive nature.

6. The application for a permit shall be returned to the business entity in the following cases if:

1) it is signed by a person not authorized to do so;

2) the documents are executed in violation of the requirements of this Article and the procedure for issuance of authorization documents.

7. Notification of the return of an application for a permit shall be delivered or sent to the applicant in writing or by electronic system within a period not exceeding three working days from the date of submission of the application, indicating the reason for the return of the application.

8. After elimination of the deficiencies that served as grounds for return in acceptance of the application for a permit document, the applicant may submit a new application and it shall be considered in accordance with the established procedure.

Article 31. Adoption of a decision to issue or refuse to issue an authorization document

1. Permit authorities on the basis of application for a permit document and documents attached to it shall make a decision on issuance or refusal to issue a permit document, except for a permit document issued by the Government of the Republic of Tajikistan, within a period of not more than ten working days from the date of its adoption, except for cases if the issuance of a permit document requires diagnostics, expertise, analysis and

laboratory research, directly provided for by the legislation of the Republic of Tajikistan. In such a case, the term of issuance of an authorization document is stipulated in the Procedure for issuance of documents of permissive nature, acts of approval and coordination, acceptance of notifications.

2. The term of decision-making on issuance or refusal to issue an authorization document issued by the Government of the Republic of Tajikistan shall be determined in accordance with the procedure for issuance of documents of permissive nature.

(3) Information on the decision to issue a permit within the term established by paragraph 1 of this Article shall be sent (delivered) to the applicant in writing and through the electronic system, specifying the details of the bank account and the deadline for payment of the fee for the issuance of the permit.

4. In case of a decision to refuse an application for a permit, the permitting authorities shall be obliged to inform the applicant of the reasons for refusal within the time limit set forth in paragraph 1 of this Article.

5. On the basis of information about the decision to issue a permit document, the applicant shall pay the fee for issuance of the permit document by cashless method and transfer information about it to the permitting authorities (*as amended by Law No. 2056 of 20.06.2024 of the RT*).

6. The permit document shall be issued by the permitting authorities to the applicant against his/her signature in the register of applications and issued permit documents.

7. Upon expiration of the time limit provided for in paragraph 1 of this Article, in the absence of a written notice of refusal to accept an application for a permit, the application for a permit shall be deemed to have been issued and the applicant may carry out the activity for which he applied for a permit in accordance with the default approval principle.

8. In the event of a default approval situation, the permitting authorities shall be obliged to issue the authorization document within the time limit set forth in paragraph 1 of this Article.

9. An economic entity shall have the right to appeal against the decision of the permitting authorities to refuse to issue a permit document in the order established by the legislation of the Republic of Tajikistan.

Article 32. Grounds for refusal to issue an authorization document

1. The grounds for refusal to issue an authorization document are:

- 1) submission of incomplete documents by the applicant;
- 2) detection of unreliable information in the documents submitted by the applicant;
- 3) a substantiated negative conclusion on the results of studies, surveys or other scientific and technical evaluations, when their conduct is mandatory.

2. It shall be prohibited to refuse to issue an authorization document on other grounds not established by this Law.

Article 33. Reissuance of an authorization document

1. In case of reorganization of a legal entity, change of its name or location, the holder of a permit document - a legal entity (its legal successor) shall, within seven working days after undergoing the procedure of state registration in connection with reorganization, change of name or location, submit to the permitting authorities an application for reissuance of the permit document with attachment of documents confirming the specified information, a copy of the certificate of state registration, a copy of the notification of the change of name or location of the legal entity, a copy of the permit document, a copy of the notification of the change of name or location of the legal entity.

2. In case of changes in the surname, name, patronymic or place of residence of an individual entrepreneur, the holder of a permit document - individual entrepreneur shall be obliged within seven working days after making the relevant changes to submit to the licensing authorities an application for reissuance of the permit document with the attachment of documents confirming the specified information.

3. Documents for re-issuance of the permit shall be submitted in writing or through an electronic system.

4. Prior to reissuance of the permit document, the holder of the permit document - a legal entity (its legal successor), an individual entrepreneur, who submitted an application for reissuance of the permit document, carries out or performs the activity and (or) the action specified therein on the basis of a copy of the submitted application for reissuance of the permit document with a stamp of the permitting authority on the date of acceptance of the application.

5. Upon re-issuance of a permit document, the licensing authority shall make the relevant changes in the register of permit documents.

6. Re-issuance of the permit document is carried out within a period not exceeding five working days after the day of receipt by the permitting authorities of the application for re-issuance of the permit document with attachment of the relevant documents and information on non-cash payment of the fee for re-issuance of the permit document *(as amended by the Law of the RT dated 20.06.2024 No. 2056)*.

7. For re-registration of the permit document a fee in the amount of 1 (one) indicator for calculations as of the date of submission of the application for re-registration shall be paid in accordance with the procedure established by Article 13 of this Law *(as amended by Law No. 2056 of 20.06.2024 of the Republic of Tajikistan)*.

8. It shall be prohibited to require the applicant to submit other documents not provided for by this Article.

Article 34. Issuance of a second copy (duplicate) of an authorization document

1. In case of loss or damage of the permit document, a second copy (duplicate) of the permit document shall be issued on the basis of the application of the holder of the permit document.

2. The permitting authorities are obliged to issue (send) the second copy (duplicate) of the permit document within no more than five working days after the day of receipt of the application, the original of the permit document, in case of damage, announcement of the loss of the permit document published in the mass media, and information on non-cash payment of the fee by the applicant for the issuance of the second copy (duplicate) of the permit document. The application for issuance of the second copy (duplicate) of the permit document and the necessary documents shall be submitted in writing or through the electronic system *(as amended by Law No. 2056 of 20.06.2024)*.

3. Issuance of the second copy (duplicate) of the authorization document by the Government of the Republic of Tajikistan shall be carried out in accordance with the procedure for issuance of documents of permissive nature.

4. For issuance of the second copy (duplicate) of the permit document, a fee shall be paid in accordance with the procedure established by Article 13 of this Law, in the amount of 1 (one) indicator for calculations as of the date of application *(as amended by Law No. 2056 of 20.06.2024 of RT)*.

5. It shall be prohibited to require from the applicant other documents not provided for by this Article.

Article 35. Suspension of an authorization document

1. The permitting authorities (in case of issuance of a license document by the Government of the Republic of Tajikistan (permitting executive bodies) may suspend a permit document in case of two or more violations of permitting conditions, qualification requirements and conditions by the holder of a permit document, as well as requirements of paragraphs 1 and 2 of Article 33 of this Law. Suspension of a permit document shall entail suspension of the activity for which the permit document is required for the period specified in paragraph 3 of this Article or until the entry into force of the court decision on annulment of the permit document.

2. Notwithstanding the requirements of paragraph 1 of this Article, in exceptional cases, if it is necessary to prevent an immediate threat to the life or health of the population, the occurrence of a man-made disaster, irreparable damage to natural objects or the state of the environment and prevention of these circumstances by other means is impossible, the permit document shall be suspended.

3. Permit-issuing bodies (permit-issuing executive bodies) shall be obliged to establish a three-month term for the holder of the permit document to eliminate violations that caused the suspension of the permit document. If the holder of the permit document fails to eliminate the said violations within the specified period of time, the permitting authorities shall apply to the court with a petition for annulment of the permit document.

4. The holder of the permit shall be obliged to eliminate the violations that led to the suspension of the permit, and to notify in writing the licensing authorities (permitting executive bodies). The permitting authorities (permitting executive bodies in coordination with the Government of the Republic of Tajikistan) shall be obliged within five working days after receipt of the notification to check its validity and in case of elimination of violations to make a decision to restore the validity of the permit document, and notify the holder of the permit document in writing.

5. The decision to suspend the validity of the permit or to file an application for annulment of the permit with the court shall be notified to the holder of the permit with the justification not later than three days after its adoption in writing.

6. An economic entity shall have the right to appeal against the decision of the permitting authorities to suspend the validity of the authorization document in the order established by the legislation of the Republic of Tajikistan.

7. If the court recognizes that the suspension of a permit document is unreasonable, the permitting authorities shall be liable to the economic entity in the amount of the damage caused by it.

Article 36. Termination of an authorization document

1. The validity of the authorization document in case of termination of the business entity's activity (liquidation of a legal entity, termination of an individual entrepreneur's activity) shall be terminated from the date of termination of the business entity's activity.

2. In cases established by part 1 of this Article, a decision of permitting bodies (permitting executive bodies in coordination with the Government of the Republic of Tajikistan) on introduction of changes in the lists of documents of permissive nature shall be adopted.

Article 37. Revocation of an authorization document

1. The permit shall be revoked for the following reasons and in the following manner:

1) on the basis of an application of the holder of the permit document - by the permitting authorities;

2) non-payment of the permit fee by the holder of the permit document within fifteen working days from the date of the decision to grant the license - by the permitting authorities;

(3) The licensee's failure to pay the annual license maintenance fee by December 31 of the calendar year to the permitting authorities;

4) in case of establishment of illegality of the decision of permitting authorities to issue a permit document and (or) establishment of the fact of obtaining a permit document with suspension of unreliable documents - by judicial authorities.

5) violations of permit conditions, qualification requirements and conditions by permit holders by judicial authorities.

2. In case of annulment of the permissive document the permitting authorities (permitting executive bodies in coordination with the Government of the Republic of Tajikistan) shall place information about the decision in the register of documents of permissive nature.

CHAPTER 5. APPROVAL AND AUTHORIZATION PROCEDURES, ACCEPTANCE OF NOTIFICATIONS

Article 38: Documents required for the approval and harmonization procedure

1. The applicant or his/her authorized representative shall submit the following documents to the appropriate permitting authorities to complete the approval and approval process:

1) application for passing the approval and harmonization procedures;

2) The type of activity, action, or document that is subject to approval or concurrence;

3) copy of the document confirming the state registration of the business entity;

4) a document confirming payment of the application fee;

5) a power of attorney to represent the interests in the name of the authorized person in case the documents for the approval procedure are submitted by the applicant's representative.

2. The application for the approval and consent procedure shall be submitted in writing or through the electronic system. When submitting an application through the electronic system, all documents shall be submitted electronically.

3. The application for passing the approval and approval procedure and the documents attached to it shall be registered according to the list. Information on acceptance of the application and attached documents, certified by the signature of the responsible person and stamp of the approval authorities with a mark on the date of registration, (delivered) to the applicant or sent through the electronic system.

4. Depending on the nature of entrepreneurial activity, in addition to the documents specified in paragraph 1 of this Article, the procedure for issuance of documents of permissive nature may provide for the submission of other documents confirming the applicant's compliance with the established requirements and conditions for passing the approval and coordination procedure.

5. It shall not be allowed to require the applicant to submit other documents not provided for by this Law and the procedure for issuance of documents of permissive nature.

6. The application for approval and authorization shall be returned to the business entity in the following cases if:

1) it is signed by a person not authorized to do so;

2) the documents are executed in violation of the requirements of this Article and the procedure for issuance of authorization documents.

7. Notification of the return of the application for approval and concurrence shall be delivered or sent to the applicant in writing or through the system within no more than three working days from the date of submission of the application, stating the reason for the return.

8. After elimination of the deficiencies that caused the return of the application for approval and concurrence, the applicant may submit a new application, which shall be subject to review in accordance with the established procedure.

Article 39. Acts of approval and harmonization

1. Permit authorities on the basis of the application for passing the procedure of approval and coordination and attached documents within a period of up to 30 days, if a shorter period is not provided for by the legislation of the Republic of Tajikistan, approve and coordinate the fact of approval or coordination of the requested activity, action and (or) document by binding the submitted documents, seal, signature and date of approval or coordination and (or) by issuing the relevant document.

2 Information on the decision on approval or consent shall be sent (delivered) to the applicant in writing and through the electronic system.

3. Upon the expiration of the period provided for in paragraph 1 of this Article, in the absence of written notice of refusal of approval and consent, it shall be deemed approved and agreed, and the applicant may take the action for which approval or consent was requested in accordance with the default approval principle.

Article 40. Refusal to approve and harmonize

1. The grounds for refusal to approve and authorize a requested activity, action or document are:

1) submission of incomplete documents by the applicant;

2) identification of unreliable information in the documents submitted by the applicant;

3) a substantiated negative conclusion on the results of studies, surveys or other scientific and technical evaluations, when their conduct is mandatory.

(2) Refusal to approve and authorize a requested activity, action or document on other grounds that are not established by this Law shall be prohibited.

(3) The applicant shall be notified of the refusal to approve and authorize the requested activity, action or document in writing or through an electronic system. The written notification of refusal to approve or authorize the requested activity, action or document shall specify the reasons for the refusal.

4 The economic entity shall have the right in the order established by the legislation of the Republic of Tajikistan to appeal against the decision of the permitting authority to refuse to approve and coordinate the requested activity, action or document.

Article 41. Procedure for giving notice

1. Notice shall be given by the applicant to the permitting authorities that accept it, in writing or through an electronic system.

2. In cases established by this Law and the procedure for issuance of documents of permissive nature, the necessary documents shall be attached to the notification. The applicant shall be responsible for the accuracy of the information contained in the notification or attached documents.

3. It shall be prohibited to demand from the applicant other documents that are not provided for by this Law and the procedure for issuance of documents of permissive nature.

4. The applicant may commence or be obliged to cease an activity or a certain action after giving the relevant notice.

Article 42. Confirmation of the sending of the notification

If necessary, on the basis of the applicant's application, the permitting authorities responsible for accepting the notification shall, within three working days from the date of the application, issue to the applicant an extract from the documents of permissive nature.

CHAPTER 6. FINAL PROVISIONS

Article 43. Transitional provisions

1. Permit authorities shall be obliged to connect to the state information system and, until they connect to this system, accept applications from applicants in paper form and send all notifications provided for in this Law.

2. Documents of permissive nature issued before the entry into force of this Law shall be valid until the term specified in them.

Article 44. Settlement of disputes

Disputes in the field of regulation of the permit system shall be resolved in accordance with the legislation of the Republic of Tajikistan.

Article 45. Responsibility for non-compliance with the requirements of this Law

Physical and legal persons shall bear responsibility for non-compliance with the requirements of this Law in accordance with the legislation of the Republic of Tajikistan.

Article 46: On Recognition of the Law of the Republic of Tajikistan "On Licensing of Certain Types of Activity" and the Law of the Republic of Tajikistan "On the Permit System" as null and void

To recognize as invalid the Law of the Republic of Tajikistan "On licensing of certain types of activities" from May 17, 2004 (News of Majlisi Oli of the Republic of Tajikistan, 2004, No. 5, Art. 348; 2005, No. 3, Art. 120; 2006, No. 7, Art. 343; 2007, No. 6, Art. 433; 2008, No. 1, Part 2, Art. 14, No. 6, Art. 457, No. 10, Art. 816; 2009, No. 3, Art. 78, No. 5, Art. 326, No. 910, Art. 544; 2010, No. 12, Ch. 1, Art. 821; 2012, No. 12, ch. 1, Art. 1005; 2013, No. 3, Art. 193, No. 11, Art. 787; 2014, No. 7, Part 2, Art. 406, Art. 407, No. 11, Art. 666; 2015, No. 3, Art. 206, Art. 213, No. 11, Art. 967; 2016, No. 5, Art. 369, No. 7, Art. 631, No. 11, Art. 885; 2017, No. 5, Part 1, Art. 291; 2019, No. 6, Art. 327; 2020, No. 7-9, Art. 618) and the Law of the Republic of Tajikistan "On the permit system" of August 2, 2011 (News of Majlisi Oli of the Republic of Tajikistan, 2011, No. 7-8, Art. 606; 2012, No. 4, Art. 252, No. 7, Art. 686, No. 12, ch. 1, Art. 1024; 2014, No. 7, Part 2, Art. 400, No. 12, Art. 824; 2015, No. 11, Art. 957, No. 12, Part. 1, Art. 1113; 2016, No. 5, Art. 364, No. 7, Art. 618; 2019, No. 4-5, Art. 218; 2020, No. 1, Art. 13, No. 7-9, Art. 609; 2021, No. 12, ch. 2, Art. 695; 2022, No. 1-3, Art. 14).

Article 47: Procedure for enactment of this Law

1. This Law, except for paragraphs (2), (3), (4), (6) and (7) of Article 6, paragraph (4) of Article 7 and paragraph (8) of Article 8 shall be enacted as of September 1, 2023.

2. Provisions of paragraphs 2), 3), 4), 6) and 7) of Article 6, paragraph 4) of Article 7 and paragraph 8) of Article 8 of this Law shall be enacted after official publication.

President

Republic of Tajikistan Emomali Rahmon

r. Dushanbe

June 22, 2023 #1968

appendix

to the Law

Republic of Tajikistan

"On the permit system."

Unified State Register of Licenses, Permits, Approval and Coordination Acts, Notifications Received

[Annex \(as amended by Law No. 2015 of December 27, 2023\)](#)