



6 October 2014

(14-5625)

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Committee on Import Licensing

Original: English

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES

TAJIKISTAN

The following communication, dated 3 October 2013, is being circulated at the request of the delegation of Tajikistan.

1 TOBACCO PRODUCTS

Outline of System

1.
 - The import of tobacco products in the Republic of Tajikistan is regulated by the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007); and
 - The Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities (No. 172 of 3 April 2007). The licensing authority is the Ministry of Energy and Industry of the Republic of Tajikistan.

Purposes and coverage of licensing

2. The import of tobacco products classified under HS nomenclature 2401, 2402 and 2403, is subject to import licensing requirements.
3. The import licensing system applies to goods originating in and coming from all countries.
4. The licensing of import of tobacco products does not intend to restrict the quantity or value of imports. The purpose of import licensing measures is the protection of human health.
5. Licensing system for imports of tobacco products is maintained under the following legislative acts:
 - The Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007); and
 - The Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities (No. 172 of 3 April 2007).

The licensing of import of tobacco products is statutorily required in the Republic of Tajikistan.

The legislation governing the import licensing system, namely the Chapter 2, paragraph 3 of the Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities (No. 172 of 3 April 2007), does not leave designation of products to be subjected to licensing to administrative discretion.

It is impossible for the Government (or the executive branch) to abolish import licensing system without legislative approval.

Procedures

6. There are no quantitative restrictions.
 7. (a) An application for a license must be made one month prior to the importation. Legislation governing import licensing procedure does not provide for obtaining licenses neither within a shorter time-limit nor in cases when goods arrive at the border without a license.
 - (b) A license cannot be granted immediately on request.
 - (c) There are no limitations as to the period of the year during which application for license and/or importation may be made.
 - (d) Consideration of license applications is effected by a single administrative authority. The application must not be passed on to other authorities for visa, note or approval. An importer does not have to approach more than one administrative authority.
8. Besides a failure by applicant to meet the ordinary criteria for obtaining a license, the application for a license can be refused in case of supply of incorrect and falsified data by the applicant. The reasons for refusal of issuing a license are provided to the applicant. The applicants have the right to appeal the administrative decisions on refusal to issue a license in the court of the Republic of Tajikistan.

The procedure described below is equally applicable to the right of appeal to any administrative proceedings involving customs, licenses, TBT and SPS certification issues, TRIPS related issues, etc.

In accordance with the Law on Administrative Proceedings of 5 March 2007 any natural or legal person who is a party to an administrative proceeding has the right to appeal any act, action or lack of action of the administrative authority or its official. An appeal may be lodged if the person is of the opinion that by such act, action or lack of action his/her rights, freedoms or legal interests have been violated or exercising such rights has been hindered, or if he/she has been imposed an obligation in contravention of the law. An appeal must be lodged in writing.

In the case of an act, action or lack of action of the customs authority or its official, an appeal may be lodged to the second instance authority within the customs administration. The second instance authority is the head of the organizational unit of the customs administration (department) whose act, action or lack of action is subject to appeal. Where the act, action or lack of action of the head of the department is subject to appeal, the second instance authority is a department of the immediate higher rank. In the latter case an appeal may be lodged through the first instance authority or directly to the second instance authority. An appeal may be lodged within one month from the date when the party to the proceedings became aware of the violation of rights, or from the date when the time limit for the administrative authority to act has expired, or from the date when the decision was communicated to the party, depending on the circumstances of the case. In the case of the administrative penalty, an appeal may be lodged within ten calendar days. Within five calendar days of the filing date of an appeal, the first instance authority must convey all the case files to the second instance authority. An appeal does not defer the enforcement of the first instance decision.

The second instance authority must decide the case within one month from the filing date of an appeal. Where there is no need for additional analysis and verification the case must be decided not later than 15 calendar days from the filing date of an appeal. The second instance decision can be subject to the court review.

All administrative decisions may be also appealed to court or to the prosecutor's office. The party to the administrative proceedings has a right to request the court review and/or an action of the prosecutor at any time – before, simultaneously or after lodging an appeal. Lodging an appeal to the administrative authority does not preclude the appellant to request the court review and/or an action of the prosecutor. The party to the proceedings may choose to request the court review

and/or an action of the prosecutor without the need to initially lodge an appeal to the administrative authority.

There are no specialized administrative courts in Tajikistan. The court review is provided by the commercial court, if the party to proceedings is a legal person or by the court of general jurisdiction, if the party is a natural person. Court decisions in administrative matters can be appealed. The court of the last instance is the Superior Commercial Court or the Supreme Court of the Republic of Tajikistan, as the case may be.

Where the court finds that the rights of a party to the administrative proceedings have been violated by an act, action or lack of action of the administrative authority or its official, it will overrule the administrative decision, identify violations and return the case to the administrative authority instructing it how to decide the case.

Under the legal system of Tajikistan, upon the request of an interested party, prosecutor's office also has the right to review an act, action or lack of action of the administrative authority or its official and to take appropriate measures for elimination of any violations of law. Decisions and/or measures taken by the prosecutor do not preclude the right of a party to the administrative proceedings to request the court review.

Eligibility of importers to apply for licence

9. All persons, firms and institutions regardless of their ownership structure are eligible to apply for licenses. However, there are certain requirements established in the Republic of Tajikistan for foreign individuals and legal entities which have to be fulfilled by them before they apply for an import license. Namely, foreign individuals or legal entities need to maintain a commercial presence in the Republic of Tajikistan in order to obtain an import license.

According to the Law of the Republic of Tajikistan "On the state registration of legal entities and individual entrepreneurs" (No. 508 of 19 May 2009) natural persons can pass the State registration as individual entrepreneurs. The state registration of natural person as an individual entrepreneur is carried out by the body carrying out the state registration, within three working days from the date of submission of documents specified in the Article 22 of the above-mentioned Law.

According to the Article 7(5) of the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) foreign individuals and legal entities can obtain licenses based on the same conditions applicable to domestic individuals and legal entities. However, pursuant to the same Article, foreign legal entity must have its branch or representation set up in the Republic of Tajikistan before it applies for import license.

According to the legislation of the Republic of Tajikistan foreign individuals and legal entities have to pass the procedure of State registration before they engage in importation. All individuals and legal entities are eligible to apply. The Law of the Republic of Tajikistan on State Duty (No. 19 of 28 February 2004) provides for the rates of State duties for State registration of individuals and legal entities.

The State duty for the State registration of foreign legal entities (for establishing branches or representations) equals to 25 measurement units (the minimum monthly wage is meant under the measurement unit which equals to 60 Somoni (approximately US\$14)).

The State duty for the State registration of foreign individuals as individual entrepreneurs equals to two measurement units.

There is no published list of authorized importers. However, licensing authorities maintain a register listing importers to whom import licenses have been allocated.

Documentation and other requirements for application for licence

10. The following information is required in applications:

- For legal entities: precise type(s) of activity (activities) for which a license is requested; indication of requested period; certificate of a state registration (number, issuing authority, date of issue); address; taxpayer's ID number (number, issuing authority, date of issue); institutional structure (organizational structure); type of ownership; bank details; and
- For individuals: precise type(s) of activity (activities) for which a license is requested; indication of requested period; certificate of a State registration (number, issuing authority, date of issue); address; taxpayer's ID number (number, issuing authority, date of issue); name; surname; place of residence; passport, its issuing authority and date.

The Article 9 of the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) identifies general list of documents to be supplied by applicant to obtain an import license. Namely, the following documents have to be supplied by applicant for obtaining a license:

- Application for granting a license with the indication of precise type of activity;
- The copy of certificate of State registration conferring the status of individual entrepreneur (in case of individuals);
- Copy of statutory documents, certificate of State registration (in case of legal entities);
- The copy of taxpayer's certificate issued by the taxation authorities;
- Proof of payment of the fee for the examination of application for a license; and
- Information on the qualification of employees hired by applicant (in case of production).

11. Following documents are required upon actual importation:

- Customs declaration of goods;
- Contract;
- Invoice;
- Transport documentation (declaration);
- Documents certifying the authorization of declarant for submitting documents;
- Certificate or declaration of origin of goods (if the products originating from a specific country are subject to preferential treatment); and
- Certificate of conformity or its recognition.

The following information has to be supplied too:

- ID number of the taxpayer;
- Receipt proving the payment of customs duties, taxes; and
- Import licence.

12. The fee for the examination of applications for licenses for import of tobacco products equals to four calculation indicators, while the fee for issuing import licenses is ten calculation indicators. The calculation indicator is a unit utilized for the calculation of taxes, duties and other charges, which is provided in the Law "On the State Budget" and is adjusted annually, taking into account the rate of anticipated inflation. For 2012, the calculation indicator for taxes, duties and other charges is 40 Somoni, (approximately US\$8.40).

The amount for the permission fee is expressly specified in the Nomenclature of Permits.

13. There is no deposit or advance payment requirement associated with the issuance of licenses.

Conditions of licensing

14. According to the Article 8 of the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) the validity of import licenses for import of tobacco products is not less than five years.

According to the Article 8 paragraph 3 of the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) the validity of a license can be extended prior to its expiry date for the same period if the license holder so requests. The extension of the validity of a license is carried out through re-issuing of a license.

15. The legislation of the Republic of Tajikistan governing the import licensing system does not provide for a penalty for non-utilization or partial utilization of a license.

16. According to the Chapter 12 of the Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities (No. 172 of 3 April 2007) Licenses are not transferable between importers.

17. There are no other conditions attached to the issue of a license.

Other procedural requirements

18. Not applicable.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported. A license is not required as a condition to obtaining foreign exchange. Foreign exchange is always available to cover licenses issued. In order to obtain the foreign exchange the relevant request has to be made to banking authorities specifying an amount and foreign exchange needed and the desirable dates of getting foreign exchange.

2 NARCOTIC AND PSYCHOTROPIC SUBSTANCES AND PRECURSORS

Outline of System

1. The import of narcotic and psychotropic substances and precursors in the Republic of Tajikistan is regulated by the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) and the Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities (No. 172 of 3 April 2007) and the Law of the Republic of Tajikistan on Narcotic and Psychotropic Substances and Precursors (No. 873 of 10 December 1999). The licensing authority for import of narcotic and psychotropic substances is the Ministry of Healthcare of the Republic of Tajikistan and for import of precursors – the Agency for Narcotics' Control under the President of the Republic of Tajikistan.

Purposes and coverage of licensing

2. The import of narcotic and psychotropic substances and precursors referred to the list in accordance with international conventions (Convention on Narcotic Substances of 1961, Vienna Convention on Psychotropic Substances of 1971 and the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988) is subject to import licensing requirements.

3. The import licensing system applies to goods originating in and coming from all countries.

4. The licensing of import of narcotic and psychotropic substances and precursors does not intend to restrict the quantity or value of imports except for the quantity of imports of narcotic substances. The purposes of import licensing measures are: protection of human health; protection of State security and public safety.

5. Licensing system for imports of narcotic and psychotropic substances and precursors is maintained under the following legislative acts:

- The Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007);
- The Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities (No. 172 of 3 April 2007); and
- The Law of the Republic of Tajikistan on Narcotic and Psychotropic Substances and Precursors (No. 873 of 10 December 1999).

The licensing of import of narcotic and psychotropic substances and precursors is statutorily required in the Republic of Tajikistan.

The legislation does not leave designation of products to be subjected to licensing to administrative discretion.

It is impossible for the Government (or the executive branch) to abolish import licensing system without legislative approval.

Procedures

6. There are State quotas set for import of narcotic drugs. The State quotas are set by the Resolution of the Government of the Republic of Tajikistan on the Establishment of the State Quota for Narcotic Substances, No. 381 of 29 August 2003.

According to the Article 4 of the Law of Republic of Tajikistan on Narcotic and Psychotropic Substances and Precursors the State maintains a monopoly on import of narcotic substances in the Republic of Tajikistan. Accordingly, the import of narcotic substances in the Republic of Tajikistan is carried out by State enterprises only on the basis of a license and within the limits of the State quota.

7. (a) An application for a license must be made one month prior to the importation. Legislation governing import licensing procedure does not provide for obtaining licenses neither within a shorter time-limit nor in cases when goods arrive at the border without a license.

(b) A license cannot be granted immediately on request.

(c) There are no limitations as to the period of the year during which application for license and/or importation may be made.

(d) Consideration of license applications is effected by a single administrative authority. The application must not be passed on to other authorities for visa, note or approval. An importer does not have to approach more than one administrative authority.

8. Besides a failure by applicant to meet the ordinary criteria for obtaining a license, the application for a license can be refused in case of supply of incorrect and falsified data by the applicant. The reasons for refusal of issuing a license are provided to the applicant. The applicants have the right to appeal the administrative decisions on refusal to issue a license in the court of the Republic of Tajikistan.

The procedure of appeal is given in paragraph 8 on page 2.

Eligibility of importers to apply for licence

9. See answers in Point 1 "Tobacco Products" on first page.

Documentation and other requirements for application for licence

10. In addition to the information given in answer in paragraph 10 on page 3, the following additional documents have to be supplied by applicant for obtaining a license to import narcotic and psychotropic substances and precursors:

- positive decision of relevant authorities of internal affairs on the possibility of storage of narcotic and psychotropic substances and precursors in the premises for conducting the proposed activity;
- certificate issued by internal affairs authorities on the absence of conviction of persons having access to narcotic and psychotropic substances and precursors;
- certificate issued by narcological service for persons having access to narcotic and psychotropic substances and precursors;
- decree of the head of organization on assigning responsible persons having access to narcotic and psychotropic substances and precursors;
- copies of diplomas of persons having access to narcotic and psychotropic substances and precursors; and
- justification of necessity to use precursors in the production.

11. See answer in paragraph 9 on page 3.

The following information has to be supplied too:

- ID number of the taxpayer;
- Receipt proving the payment of customs duties, taxes; and
- Import licence.

12. The fee for the examination of applications for licenses for import of narcotic and psychotropic substances and precursors equals to four calculation indicators, while the fee for issuing import licenses is ten calculation indicators. The calculation indicator is a unit utilized for the calculation of taxes, duties and other charges, which is provided in the Law "On the State Budget" and is adjusted annually, taking into account the rate of anticipated inflation. For 2012, the calculation indicator for taxes, duties and other charges is 40 Somoni, (approximately US\$8.40).

13. There is no deposit or advance payment requirement associated with the issuance of licenses.

Conditions of licensing

14. According to the Article 8 of the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) the validity of import licenses for import of narcotic and psychotropic substances and precursors is not less than five years.

According to the Article 8 paragraph 3 of the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) the validity of a license can be extended prior to its expiry date for the same period if the license holder so requests. The extension of the validity of a license is carried out through re-issuing of a license.

15. The legislation does not provide for a penalty for non-utilization or partial utilization of a license.

16. Licenses are not transferable between importers.

17. There are no other conditions attached to the issue of a license.

Other procedural requirements

18. For carrying out each import operation a licensed importer of narcotic and psychotropic substances and precursors must obtain a permission through getting the certificate based on international sample form (according to the provisions of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988).

The permission for imports of narcotic and psychotropic substances is granted by the Ministry of Healthcare of the Republic of Tajikistan, while the permission for imports of precursors are granted by the Agency for Narcotics' Control under the President of the Republic of Tajikistan.

19. See answer in paragraph 19 on page 5.

3 PHARMACEUTICALS AND MEDICAL GOODS

Outline of System

1. The import of pharmaceuticals and medical goods in the Republic of Tajikistan is regulated by the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007), the Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities (No. 172 of 3 April 2007) and the Law of the Republic of Tajikistan on Pharmaceuticals and Pharmaceutical Activities (No. 39 of 6 August 2001). The licensing authority for import of pharmaceuticals and medical goods is the Ministry of Healthcare of the Republic of Tajikistan.

Purposes and coverage of licensing

2. The import of pharmaceuticals and medical goods classified under HS nomenclature 28, 29, 30, 33, 34, 35, 37, 38, 40, 48, 70, 90 and 94, is subject to import licensing requirements.

3. The import licensing system applies to goods originating in and coming from all countries.

4. The licensing of import of pharmaceuticals and medical goods does not intend to restrict the quantity or value of imports. The purpose of import licensing measures is the protection of human health.

5. Licensing system for imports of pharmaceuticals and medical goods is maintained under the following legislative acts:

- The Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007);
- The Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities (No. 172 of 3 April 2007);
- The Law of the Republic of Tajikistan on Pharmaceuticals and Pharmaceutical Activities (No. 39 of 6 August 2001); and
- The licensing of import of pharmaceuticals and medical goods is statutorily required in the Republic of Tajikistan.

The legislation does not leave designation of products to be subjected to licensing to administrative discretion.

It is impossible for the Government (or the executive branch) to abolish import licensing system without legislative approval.

Procedures

6. There are no quantitative restrictions.
7. (a) An application for a license must be made one month prior to the importation. Legislation governing import licensing procedure does not provide for obtaining licenses neither within a shorter time-limit nor in cases when goods arrive at the border without a license.
- (b) A license cannot be granted immediately on request.
- (c) There are no limitations as to the period of the year during which application for license and/or importation may be made.
- (d) Consideration of license applications is effected by a single administrative authority. The application must not be passed on to other authorities for visa, note or approval. An importer does not have to approach more than one administrative authority.
8. Besides a failure by applicant to meet the ordinary criteria for obtaining a license, the application for a license can be refused in case of supply of incorrect and falsified data by the applicant. The reasons for refusal of issuing a license are provided to the applicant. The applicants have the right to appeal the administrative decisions on refusal to issue a license in the court of the Republic of Tajikistan.

The procedure of appeal is given in paragraph 8 on page 2.

Eligibility of importers to apply for licence

9. See answers in Section 1 "Tobacco products".

Documentation and other requirements for application for licence

10. See answer in paragraph 10 on page 3.
11. See answer in paragraph 11 on page 4.
12. The fee for the examination of applications for licenses for import of pharmaceuticals and medical goods equals to four calculation indicators, while the fee for issuing import licenses is ten calculation indicators. The calculation indicator is a unit utilized for the calculation of taxes, duties and other charges, which is provided in the Law "On the State Budget" and is adjusted annually,

taking into account the rate of anticipated inflation. For 2012, the calculation indicator for taxes, duties and other charges is 40 Somoni, (approximately US\$8.40).

13. There is no deposit or advance payment requirement associated with the issuance of licenses.

Conditions of licensing

14. According to the Article 8 of the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) the validity of import licenses for import of pharmaceuticals and medical goods is not less than five years.

According to the Article 8 paragraph 3 of the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) the validity of a license can be extended prior to its expiry date for the same period if the license holder so requests. The extension of the validity of a license is carried out through re-issuing of a license.

15. The legislation does not provide for a penalty for non-utilization or partial utilization of a license.

16. Licenses are not transferable between importers.

17. There are no other conditions attached to the issue of a license.

Other procedural requirements

18. State registration of pharmaceuticals or medical goods is required before obtaining an import license.

Licensed importers of pharmaceuticals or medical goods must obtain the permission for carrying out import operations. Permission is granted by the Ministry of Healthcare of the Republic of Tajikistan.

19. See answer in paragraph 19 on page 5.

4 ETHYL ALCOHOL AND ALCOHOLIC BEVERAGES

Please note that the Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities No. 172 of 3 April 2007) has been amended by the Government Resolution No. 368 of 16 July 2012 to abolish import licensing for alcohol and alcoholic beverages. **Consequently, licenses are not required for import and export of alcohol and alcoholic beverages.**

5 IMPORT OF RADIOACTIVE MATERIAL

Outline of System

1. The import of radioactive material in the Republic of Tajikistan is regulated by the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) and the Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities (No. 172 of 3 April 2007). The licensing authority for import of radioactive material is the Academy of Sciences of the Republic of Tajikistan.

Purposes and coverage of licensing

2. The import of radioactive material is subject to import licensing requirements.

3. The import licensing system applies to goods originating in and coming from all countries.

4. The licensing of import of radioactive material does not intend to restrict the quantity or value of imports. The purposes of import licensing measures are: protection of human health, protection of state security and public safety.

5. Licensing system for imports of radioactive material is maintained under the following legislative acts:

- The Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007);
- The Resolution of the Government of the Republic of Tajikistan on the Establishment of Provisions on Specificities of Licensing of Separate Types of Activities (No. 172 of 3 April 2007); and
- The licensing of import of radioactive material is statutorily required in the Republic of Tajikistan.

The legislation does not leave designation of products to be subjected to licensing to administrative discretion.

It is impossible for the Government (or the executive branch) to abolish import licensing system without legislative approval.

Procedures

6. There are no quantitative restrictions.

7. (a) An application for a license must be made one month prior to the importation. Legislation governing import licensing procedure does not provide for obtaining licenses neither within a shorter time-limit nor in cases when goods arrive at the border without a license.

(b) A license cannot be granted immediately on request.

(c) There are no limitations as to the period of the year during which application for license and/or importation may be made.

(d) Consideration of license applications is effected by a single administrative authority. The application must not be passed on to other authorities for visa, note or approval. An importer does not have to approach more than one administrative authority.

8. Besides a failure by applicant to meet the ordinary criteria for obtaining a license, the application for a license can be refused in case of supply of incorrect and falsified data by the applicant. The reasons for refusal of issuing a license are provided to the applicant. The applicants have the right to appeal the administrative decisions on refusal to issue a license in the court of the Republic of Tajikistan.

The procedure of appeal is given in paragraph 8 on page 2.

Eligibility of importers to apply for licence

9. See answers in Point 1 "Tobacco Products" on first page.

Documentation and other requirements for application for licence

10. In addition to the information given in section A.VI.10, the following additional documents have to be supplied by applicant for obtaining a license to import radioactive material:

- positive decision of sanitary-hygienic surveillance body on the relevance of premises, communication systems and special transport means used for carrying out the importation; existence of protective means and layers (covers);
- positive decision of fire surveillance body;
- copies of conformity certificates issued by the certification authorities;
- copies of certificates on state registration of radioactive material;
- copy of the qualification certificate issued by the Agency on Nuclear and Radioactive Safety of the Academy of Sciences of the Republic of Tajikistan;
- document certifying that in case if import or transit of radioactive material has not been accomplished the goods will be returned to the exporter;

- copy of certificate of medical institution on psychic condition of persons engaged in those activities; and
- positive decision of internal affairs authorities.

11. See answer in paragraph 11 on page 4.

12. The fee for the examination of applications for licenses for import of radioactive material equals to four calculation indicators, while the fee for issuing import licenses is ten calculation indicators. The calculation indicator is a unit utilized for the calculation of taxes, duties and other charges, which is provided in the Law "On the State Budget" and is adjusted annually, taking into account the rate of anticipated inflation. For 2012, the calculation indicator for taxes, duties and other charges is 40 Somoni, (approximately US\$8.40).

13. There is no deposit or advance payment requirement associated with the issuance of licenses.

Conditions of licensing

14. According to the Article 8 of the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) the validity of import licenses for import of radioactive material is not less than five years.

According to the Article 8 paragraph 3 of the Law of the Republic of Tajikistan on Licensing of Separate Types of Activities (No. 37 of 17 May 2007) the validity of a license can be extended prior to its expiry date for the same period if the license holder so requests. The extension of the validity of a license is carried out through re-issuing of a license.

15. The legislation does not provide for a penalty for non-utilization or partial utilization of a license.

16. Licenses are not transferable between importers.

17. There are no other conditions attached to the issue of a license.

Other procedural requirements

18. See answer in paragraph 10 on page 10.

19. See answer in paragraph 19 on page 5.
