

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

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

Chapter I. GENERAL PROVISIONS

Article 1. Main Concepts

The following concepts shall be used in this Law:

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

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

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

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

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

— **harmless conditions for people** — status of environment, when there is no harm of dangerous effect on people;

— **sanitary-epidemiological situation** — health status of the population and environmental situation on a definite territory in specific time;

— **hygienic standard** — acceptable maximal or minimal quality and/or quantity indicator, characterizing any environmental from the security positions from the security or harmlessness point of view, established by studies;

— **state sanitary-epidemiological regulations and standards** — legal acts establishing sanitary-epidemiological requirements (including security criteria and/or environmental security factors of environment for people, hygienic and other standards), violation of which creates threat to the life health of people, as well as threat of beginning and communication of diseases;

— **social-hygienic monitoring** — state system of monitoring of the population's health and environment status, their analysis, evaluation and forecast, as well as identification of cause-effect links between the health status of the population and effect of environmental factors;

— **state sanitary-epidemiological control** — measures to prevent, finding, interception of violations of the legislation in the field of sanitary-epidemiological security, aimed at protection of the population's health and environment;

— **sanitary-epidemiological service** — system of agencies, institutions and organizations implementing sanitary-epidemiological control;

— **sanitary-epidemiological conclusion** — a document confirming compliance (incompliance) with the sanitary-epidemiological rules of environmental factors, economic and other activities, products and services, as well as drafts of normative documents, construction projects, exploitation documents;

— **sanitary-anti epidemic (preventive) measures** — organizational, administrative, engineering-technical, medical-sanitary, veterinary and other measures aimed at elimination or reduction of exposure to adverse effects of people, prevention of beginning and communication of infection (parasitic) diseases and host of infection diseases;

— **sequestration (restrictive measures)** — administrative, medical-sanitary, veterinary and other measures aimed at prevention of beginning and communication of infection (parasitic) diseases and envisaging a special (regime of economic and other operations, restriction of movements of the population, transport means, cargos, goods and animals);

— **infection diseases** — infection diseases of people, beginning and communication of which is conditioned by the effect on people of biological factors of environment (incitants of infection diseases) and possibility to transfer the disease from sick persons and animals to healthy people;

— **mass noninfectious diseases (intoxications)** — diseases of people caused by physical and/or chemical, and/or social factors of environment;

— **sanitary protection of territory** — set of measures aimed at prevention of carrying and communication of incitants of quarantine and other infection (parasitic) diseases in the territory of the country, and implemented by both border and local health institutions and sanitary-epidemiological services;

— **epidemiological study (study of the epidemic area)** — system of measures, conducted in the epidemic area with the purpose to identify causes and conditions of its beginning, and development of measures to limit and liquidate it;

— **epidemics** — depth category of the epidemic process reflecting mass affect of the population or its separate cohorts with infection (parasitic) diseases, significantly exceeding the usual level of sickness rate in the territory;

— **outbreak (group sickness)** — short term increase of infection (parasitic) disease in the limited group of population (collective, settlement), diseases in which are connected with one source of incitants or through the same way (factor) of transfer;

— **health** — status of full physical, mental and social welfare, not only lack of disease and physical deficiencies;

— **phytosanitary rules** — composition of scientifically grounded normative documents establishing requirements to the status of lands, forests and vegetation, as well as numbers of vermin, communication of plants' diseases and availability of weed;

— **parasitic diseases** — status of infection with protozoa or helminthes invasiveness, when any infection processes develop;

— **toxicology** — sphere of medical science studying regularities of interaction between live organisms and toxins;

— **disinsection** — extermination of arthropod ticks, which are carriers of infection (parasitic) diseases, as well as other insects having sanitary-hygienic significance and hindering labor and rest;

— **deratization** — **extermination of infectious** rodents-carriers, protection of crops, **food products and property**;

— **disinfection** — extermination of infection (parasitic) incitants on environmental objects.

Article 2. Legislation of «he Republic of Tajikistan on Provision of Sanitary-Epidemiological Security

Legislation of the Republic of Tajikistan on Provision of Sanitary-Epidemiological Security of Population shall be based on the Constitution of the Republic of Tajikistan, shall comprise this law, other legal acts of the Republic of Tajikistan and international legal acts recognized by Tajikistan.

Article 3. Provision of Sanitary-Epidemiological Security of the Population

Sanitary-epidemiological security of the population shall be provided through:

— prevention of diseases in accordance with the sanitary-epidemic-logical security and forecast of its changes;

— development and implementation of government, national and regional programs on provision of sanitary-epidemiological security and strengthening of the population's health, prevention of diseases and enhancement of environment and conditions of vital activities;

- implementation of sanitary-epidemiological (preventive) measures and compulsory compliance with all sanitary norms and rules by all individuals and legal entities as a part of their activities;

- creation of economic interest of the citizens, individual entrepreneurs and legal entities, foreigners and persons with no citizenship in conformity with the legislation in the sphere of the sanitary-epidemiological security of the population, provision of measures to call them to account for sanitary violations in the sphere of sanitary-epidemiological security of the population;

- state sanitary-epidemiological regulation;

- state sanitary-epidemiological control, production and general monitoring;

- certification of products, works and services, representing potential threat to the lives and health of people;

- issue of sanitary-epidemiological conclusion on all activities representing threat to the lives and health of people and status of environment;

- state registration of potentially harmful chemical and biological substances, certain types of products, radioactive matters, production waste and consumption of available, as well as imported types of products;

- conducting of social-hygienic monitoring;

- scientific research in the sphere of provision of sanitary-epidemiological security;

- measures on timely information of the population on beginning of infection diseases, mass non-infection diseases (intoxications), status of environment and sanitary-epidemiological (preventive) measures being conflicted;

- measures on hygienic education of the population in propaganda of healthy life.

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

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

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

- development and implementation of government programs on provision of sanitary-epidemiological security of the population, complex programs and assessments in this sphere with relevant ministries and departments,

- coordination of activities of local authorities in provision of sanitary-epidemiological security of the population;

- organization of the state sanitary-epidemiological service of the Republic of Tajikistan, development of procedures to manage structure and bodies of the state sanitary-epidemiological control;

- introduction of state registers of potentially dangerous chemical, biological, radioactive substances, production and consumption waste, as well as certain available types of products, and products imported to the Republic of Tajikistan for the first time;

- establishment of the unified government system for training of specialists of sanitary-epidemiological service;

- provision of sanitary protection of the territory of the Republic of Tajikistan;

- introduction and cancellation of the sanitary-quarantine control at the checkpoints through the Government Border of the Republic of Tajikistan;

- implementation of international cooperation of the Republic of Tajikistan and conclusion of international agreements of the Republic of Tajikistan in provision of sanitary-epidemiological security of the population;

- implementation of other authorities envisaged by this Law and other laws of the Republic of Tajikistan.

Article 5. Competence of the Ministry of Health of the Republic of Tajikistan in Provision of Sanitary-Epidemiological Security of the Population

The competence of the Ministry of Health of the Republic of Tajikistan in provision of sanitary-epidemiological security of the population comprises:

- implementation of the unified government policy in provision of sanitary-epidemiological security of the population;
- development of mid-term and long-term forecasts and programs in provision of sanitary-epidemiological security of the population;
- development of draft laws and other legal acts in provision sanitary-epidemiological security of the population in the established order;
- government sanitary-epidemiological regulation;
- development, approval and introduction of sanitary-hygienic norms and regulations of control over their implementation;
- measures on timely information of the population on beginning of infection diseases, mass non-infection diseases (intoxications), status of environment and sanitary-epidemiological (preventive) measures being dueled;
- issue of sanitary-epidemiological conclusions on certain type activities (works, services) with potential threat to lives and health of people and environment;
- certification of certain types of products, works and services representing potential threat for people;
- sanitary-epidemiological research, investigation, inspection, expertise and other types of assessment;
- state sanitary-epidemiological control;
- social-hygienic control;
- coordination of scientific in provision of sanitary-epidemiological security of the population;
- participation in development of the unified state system of accounting and reporting in sanitary-epidemiological security of the population;
- coordination of activities of other ministries and departments of the Republic of Tajikistan, local authorities, organizations, enterprises and institutions, regardless of the form of property and subordination, on implementation of government policy in provision of sanitary-epidemiological security of the population;
- attestation of expert employed in sanitary-epidemiological services of the Republic Tajikistan and certification of their knowledge;
- implementation of other authorities envisaged by this Law and other laws of the Republic of Tajikistan.

Article 6. Competence of the Local Authorities in Provision of Sanitary-Epidemiological Security of the Population

Competence of local authorities in provision of sanitary-epidemiological security of the population shall comprise:

- control of compliance with sanitary norms and regulations of the Republic of Tajikistan in provision of sanitary-epidemiological security of the population;
- participation in development and implementation of mid-term and Mg-term programs on provision sanitary-epidemiological security of population;
- provision of sanitary-epidemiological security of population and editions for implementation of state control over sanitary-epidemiological 'nation in subordinate territory;
- implementation of measures on sanitary-hygienic and anti-epidemic (preventive) measures in provision of sanitary-epidemiological security in the subordinate territory, as well as elimination of legislative violation;
- restrictive (quarantine) measures when there is threat of infection diseases based on proposals of principal government sanitary doctors or their deputies;
- provision of measures on timely information of the population on infection diseases, mass non-infection diseases (intoxications), status of environment and sanitary-epidemiological (preventive) measures;

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

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

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

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

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

Γ Foreign citizens and non-citizens in the territory of the Republic of Tajikistan shall enjoy the same rights as the citizens of the Republic of Tajikistan in sanitary-epidemiological security of the population.

Article 8. The Rights of Individual Entrepreneurs and Legal Entities

Individual entrepreneurs and legal entities shall have the following rights:

— to receive, upon agreement and in accordance with the legislation of the Republic of Tajikistan, in local governments, state sanitary-epidemiological institutions of the Republic of Tajikistan, information on sanitary-epidemiological situation, status of environment, current sanitary rules on incidence;

— take part in development programs and actions to provide sanitary-epidemiological security of the population together with the local governments;

- the right of compensation for the damage of their property caused by violation of the legislation in the sphere of sanitary-epidemiological security of the population by individuals and legal entities, as well as during implementation of sanitary-anti-epidemic (preventive) measures, in the order established by the legislation of the Republic of Tajikistan.

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

The citizens of the Republic of Tajikistan shall be obliged:

— to comply with the legislation requirements on sanitary-epidemiological security of the population, as well as resolutions, decrees, directions and sanitary-epidemic conclusions of officials in charge of the state sanitary-epidemic control;

— take care of the health status, health of family members and dissemination of sanitary-hygienic knowledge and experience among the family members using the possibility to form healthy life;

— not to commit actions entailing violation of the rights of other citizens for health protection and favorable environment;

— conduct and take part in hygienic and anti-epidemic measures;

— compensate in the established order the damage caused to the health of other citizens due to violation of the legislation in the field of sanitary-epidemiological security of the population in the Republic of Tajikistan.

Article 10. Obligations of Individuals and Legal Entities

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

— to comply with the requirements of the legislation in provision of sanitary-epidemiological security of the population, as well as resolutions, decrees, instructions and sanitary-epidemiological conclusions of officials in charge of the state sanitary-epidemiological control, including suspension and cessation of functioning of objects and technologies under construction and reconstruction in violation of sanitary regulations;

— comply with the requirements of the legislation in provision of sanitary-epidemiological security of the population, as well as resolutions, instructions, decrees and sanitary-epidemiological conclusions of the officials in charge of state sanitary-epidemiological control, including suspension or cessation of functioning of objects and technologies under construction in violation of sanitary norms and regulations;

— develop and conduct (take part in conducting) of sanitary-hygienic and antiepidemic measures aimed at prevention and liquidation of pollution of the environment, improvement of work conditions, life and rest of employees, prevention of occurrence and communication of diseases;

— ensure security of health, services, as well as production-technical products, food products and goods for personal and everyday needs, in production, transportation, safekeeping, sale to population;

— observe sanitary norms and regulations in production, purchase, storage, transportation, sale of food products and drinking water, food supplements, food inputs and materials contacting with them, as well as measures to ensure quality;

— implement production control, including laboratory research testing, of compliance with the sanitary norms and regulations, and sanitary-antiepidemic (preventive) measures in implementation of works and services, as well as in production, transportation, storage and sale of products;

— conduct works «to provide security of new types of products and production technologies, security criteria and/or security of environmental factors, and develop environmental monitoring methods;

— timely information of the population, local authorities, bodies and institutions of state sanitary-epidemiological services of the Republic of Tajikistan on emergency situations, production stopping, violations of technology processes creating threat to sanitary-epidemiological security of the j population;

— to timely have officially issued sanitary rules and environmental monitoring methods;

— implement hygienic education of workers aimed at increase of sanitary culture and formation of healthy life;

— compensate, in the established order, the damage caused to the health of workers and population in the result of violation of the legislation of the Republic of Tajikistan in provision of sanitary-epidemiological security of the population;

— ensure implementation of the rights of the citizens and other subjects of legal relations envisaged by this Law.

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

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

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

Current sanitary In developing the planning norms, town-planning development of territories, general plans of urban and rural settlements, public center planning projects, residential areas, mainlines, decisions on expansion of the civil, industrial and agricultural facilities and establishment of their sanitary-protection needs, selection of land plots under construction, as well as in designing, constructing, reconstructing, technical retrofitting of transport means and engineering networks, expansion, conservation and liquidation of industrial, transport facilities, cultural-residential buildings and installations, houses, facilities in the engineering infrastructure and accomplishment, and other facilities (further - facilities).

Allocation of land plots for construction, approval of design norms, project and regulation-technical documents for construction (reconstruction, modernization), building up, setting to work of apartment houses, buildings ad structures, as well as transport means shall be allowed only in the presence of the opinion of state sanitary-epidemiological services on their compliance with sanitary norms and regulations.

In case of violation of sanitary norms and regulations or impossibility to implement them individuals and legal entities in charge of design, construction, financing and/or lending shall be obliged to suspend or fully stop indicated works and their financing and/or lending.

Article 12. Sanitary-Epidemiological Requirements to Technical and Industrial Products, Goods for Personal and Everyday Needs and Production Technologies

Technical and industrial products, as well as goods for personal use and household ware for the needs of citizens, during production, transportation, storage, application (use) and utilization of which direct participation of people is required, shall not cause adverse effect on people and environment, and shall comply with the sanitary norms and regulations by characteristics.

New technologies, as well as technical and industrial products, goods for personal use and household ware shall be allowed for production, introduction and application only based on the sanitary-epidemiological opinion of the sanitary-epidemiological services of the Republic of Tajikistan on their compliance with sanitary norms and regulations.

Individuals and legal entities implementing design, production, transportation, purchase, storage and sale of the products, shall be obliged to suspend such operations, withdraw or dispose

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Individuals and legal entities implementing signing of agreements (contracts), delivery and sale of each consignment of such products in the Republic of Tajikistan shall be obliged to ensure implementation of the requirements of this Article.

Article 16. Sanitary-Epidemiological Requirements to Catering for the Population

Organization of catering for the population in specially equipped places (canteens, restaurants, cafes, bars and others), including cooking food and drinks, their storage and sale to

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

Observance of scientifically grounded physiological food standards shall be obligatory when organizing catering in infant schools and other educational establishments, medical and preventive treatment facilities, rehabilitation facilities and social protection facilities, establishment of food allowances for the military servants, as well as when establishing food norms for persons in detention facilities or people serving sentences in correctional facilities.

Physiological food standards shall be taken into account when establishing minimal social living standards of the population.

Article 17. Sanitary-Epidemiological Requirements to the Water Supply Sources and Water Facilities

Quality of water sources used for centralized and non-centralized water supply, for bathing, sports, rest and medical purposes, including clean water facilities located within the settlements shall comply with sanitary norms and regulations.

Security criteria of water facilities including maximum concentration limits of chemical, biological substances, microorganisms, radiation level shall be established by sanitary norms and regulations.

Permission to use water facilities for concrete purposes shall be given in the presence of sanitary-epidemiological conclusions on compliance of the water facility with sanitary regulations and terms of safe use of the water facilities.

Standards of acceptable limits of adverse effects on water facilities, norms of acceptable limits of discharge of chemical, biological substances, microorganisms in water facilities shall be established in accordance with the legislation of the Republic of Tajikistan upon agreement with the state sanitary-epidemiological control agencies of the Republic of Tajikistan.

Projects of sanitary protection zones of water facilities used for food and residential water supply, resort and rehabilitation needs of the population shall be approved in the presence of sanitary-epidemiological conclusion in accordance with the legislation of the Republic of Tajikistan.

Local authorities, individuals and legal entities shall be obliged to take actions on prevention, suspension or cessation of use of water facilities if the quality of water does not comply with sanitary norms and regulations.

Article 18. Sanitary-Epidemiological Requirements to the Drinking Water and Drinking Water Supply

In accordance with the legislation of the Republic of Tajikistan residents of towns and other settlements shall be provided with drinking water in the quantity sufficient to satisfy physiological and economy needs of people, chemically safe and with favorable organoleptic characteristics.

Individuals and legal entities implementing exploitation of centralized and non-centralized, in-house distribution, autonomous systems of drinking water supply on transport means shall be obliged to ensure quality of drinking water compliant with the sanitary norms and regulations.

Local governments, legal entities and individuals shall be obliged to implement measures aimed at development of the centralized water supply systems.

Article 19. Sanitary-Epidemiological Requirements to the Free Air of Settlements on Territories of Industrial Enterprises, Air in Working Areas of Industrial Buildings, Residential and Other Buildings

Free air of settlements, territories of industrial enterprises, as well as air in working areas of industrial buildings, residential and other buildings, as well as in places of permanent and temporary residence of people shall comply with the established norms.

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

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

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

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

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

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

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

In accordance with their powers, local governments, individuals and legal entities shall be obliged to implement actions to prevent and reduce soil contamination in settlements.

Article 21. Sanitary-Epidemiological Requirements to Collection, Use, Neutralization, Transportation, Storage and Waste Disposal

Production and domestic waste shall be subject to collection, use, neutralization, transportation, storage and waste disposal, utilization, terms and ways of which shall be safe for the health of the population and environment, and shall be implemented in accordance with the sanitary norms and regulations and other legal acts of the Republic of Tajikistan,

The Government of the Republic of Tajikistan shall establish procedures, terms and ways of collection. Use, neutralization, transportation, storage and waste disposal of the production and domestic waste.

Sanitary-epidemiological and radiation control shall be implemented in places of centralized collection, use, neutralization, storage and disposal of production and domestic waste.

Production and domestic waste shall be subject to use, neutralization, storage and disposal in accordance with the legislation of the Republic of Tajikistan on sanitary-epidemiological security of the population if while implementing radiation control excess background radiation levels were discovered.

Article 22. Sanitary-Epidemiological Requirements to Living Quarters

Living quarters shall comply with sanitary norms and regulations on space, design, illumination, isolation, microclimate, ventilation, noise levels, vibrations, ionizing and non-ionizing radiation shall comply with the sanitary norms and regulations aimed at provision of safe living conditions regardless of period of living.

Maintenance of living quarters shall comply with the sanitary norms and regulations.

Article 23. Sanitary-Epidemiological Requirements to Exploitation of Production, Public Areas, Buildings, Installations, Equipment and Transport

In exploitation of production, public areas, buildings, installations, equipment, as well as air, water and land transport measures shall be implemented on protection of environment, as well as sanitary-antiepidemic (preventive) measures and safe conditions for work, living and rest shall be ensured in accordance with the sanitary norms and regulations and other normative legal acts of

the Republic of Tajikistan.

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

Article 25. Sanitary-Epidemiological Requirements to the Education Conditions

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

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

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

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

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

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

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

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

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

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

Dangerous goods and commodities, import of which to the territory of the Republic of Tajikistan is prohibited by the legislation of the Republic of Tajikistan, as well as goods and commodities for import to the territory of the Republic of Tajikistan that represent danger of occurrence and communication of infection diseases or mass non-infection diseases (intoxications) shall not be allowed for import to the territory of the Republic of Tajikistan.

Sanitary-epidemiological control at checkpoints at the state border of the Republic of Tajikistan shall be carried out by sanitary-sequestration posts of the sanitary-epidemiological service of the Ministry of Health of the Republic of Tajikistan.

Terms of measures to implement sanitary protection of the territory of the Republic of Tajikistan shall be established by the sanitary-epidemiological norms and regulations and other

normative legal acts of the Republic of Tajikistan.

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

Article 28. Restrictive Measures (Sequestration)

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

Restrictive measures (sequestration) shall be introduced (cancelled) based on proposals, prescriptions of principal state sanitary physicians or their deputies, the Government of the Republic of Tajikistan, local governments.

Procedure of restrictive measures (sequestration) and the list of infection diseases, which may occur and propagate, shall be established by sanitary-epidemiological regulations and other normative and legal acts of the Republic of Tajikistan.

With the purpose of operational coordination of actions of concerned ministries, departments and public organizations in prevention, localization liquidation of epidemics, infection diseases and mass food intoxication of the population the Government of the Republic of Tajikistan and local governments shall create republican, regional, town, rayon emergency anti-epidemic commissions.

Competence and procedure of activities of the commissions indicated in this Article shall be established by the Government of the Republic of Tajikistan.

Article 29. Measures on Contagious Patients (with parasitic diseases)

Contagious patients (parasitic diseases) shall be persons suspect of such diseases and persons, who contacted them, as well as persons carriers of infectious matters, shall be subject to laboratory testing, medical screening and, if necessary, treatment, or, if they represent harm for the surrounding, compulsory hospitalization or isolation in accordance with the sanitary-epidemiological norms and regulations, and other normative legal acts of the Republic of Tajikistan.

Persons-carriers of infectious matters, if they can be the source of communication due to peculiarities of production, where they work, shall be temporarily until recovery transferred to other work not connected with the risk of infection communication. In case it is not possible to arrange rational employment of the person, the issue shall be solved in the order established by the labor legislation.

All infection and mass non-infection (intoxication) diseases shall be subject to registration by the health system institutions at places where such diseases (intoxications) were revealed and shall be reported to the state sanitary control bodies of the Republic of Tajikistan.

Procedure of the state registration of such diseases (intoxications), as well as the procedure of reporting shall be established by the state sanitary control body of the Republic of Tajikistan.

Article 30. Disinfection, Deratization and Disinsection Measures

With the purpose to prevent occurrence, communication of infection and parasitic diseases individuals and legal entities shall be obliged to conduct at their own expense disinfection, deratization and disinsection measures on epidemiological indications and prescriptions of the state sanitary-epidemiological control bodies.

In case of occurrence of epidemical emergency situations local budget funds will be allocated for conducting extraordinary compulsory disinfection, deratization and disinsection measures by the decision of local governments upon submission of state sanitary-epidemiological control.

Furnace disinfection is conducted by medical preventive institutions. as well as sanitary-epidemiological services of the Ministry of Health of the Republic of Tajikistan.

Article 31. Compulsory Medical Examinations

With the purpose to protect health, prevention and propagation of infection diseases, mass noninfectious diseases (intoxications) and professional diseases, as well as accidents, private entrepreneurs, workers in industry and ¹ organizations regardless of the form of property, implementing any economic and/or production activity, shall be obliged to pass preliminary - at the beginning of employment and in the future - regular medical examinations, as well as special medical examinations (further - medical examinations).

In case of necessity, based on the proposals of the state sanitary-epidemiological services of the Ministry of Health of the Republic of Tajikistan, local governments, additional indications to conduct medical examination of employees can be introduced in certain organizations (workshops, laboratories and other structural departments).

Individuals and legal entities involved in production and economic sphere shall be obliged to ensure timely medical examinations of the employees and medical examinations on epidemiological indications.

Individuals and legal entities involved in the production and economic spheres shall not have the right to allow persons to work without having passed preliminary or regular medical examinations or those recognized unfit for employment due to health state.

Data on medical examination shall be subject to introduction in personal medical cards and registration by medical preventive institutions, as well as state sanitary-epidemiological services of the Ministry of Health of the Republic of Tajikistan.

The list of harmful production factors, works and services, during implementation of which preliminary and regular medical examinations are conducted, shall be established by the Government of the Republic of Tajikistan.

Procedure and periodicity of conducting, registration, reporting and issue of personal medical cards shall be established by the Ministry of Health of the Republic of Tajikistan.

Article 32. Preventive Vaccination

With the purpose to prevent occurrence and propagation of infection diseases preventive vaccination will be made for the citizens of the Republic of Tajikistan.

The list of diseases, against which preventive vaccination is made, procedure, terms of conducting and population groups subject to vaccination shall be determined by the Ministry of Health of the Republic of Tajikistan.

Article 33. Manufacturing Inspection

Manufacturing inspection shall be conducted by private entrepreneurs and legal entities employed in production and other production-economic activities, and include laboratory research and testing, observation of sanitary rules and implementation of sanitary-epidemiological (preventive) measures in the process of production, storage, transportation and sale of products, works and services.

Manufacturing inspection shall be implemented for prevention and liquidation of environment pollution, for conditions of work, residence, rest, training and education of people, for hygienic indicators of the product's quality in the order established by sanitary norms and regulations, as well as state standards.

Persons involved in manufacturing control shall be responsible for timeliness, fullness and authenticity of its implementation.

Article 34. Hygienic Education and Training

Hygienic education and training of the citizens is aimed at increase of their sanitary culture, prevention of diseases, and dissemination of knowledge on healthy living.

Hygienic education and training in families is done by parents, in the process of education in infant schools, secondary and high schools, during training, retraining, raising the level of skills of workers through inclusion in programs to study hygienic topics.

Hygienic education and training are conducted with professional training and attestation of

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

Article 35. Sanitary-Epidemiological Expertise

Sanitary-epidemiological expertise is the component of sanitary-epidemiological security of the population and conducted by institutions of sanitary-epidemiological services of the Ministry of Health of the Republic of Tajikistan.

Sanitary-epidemiological expertise is in charge of the following tasks:

- investigation of reasons and conditions of emergence of infection (parasitic) diseases, mass noninfectious diseases and intoxications of people;
- complex evaluation of affects of the environment objects on sanitary-epidemiological situation;
- assessment of conformity of decisions in the process of economic or other activities with requirements of sanitary-hygienic norms and regulations;
- establishment of conformity (discrepancy) of the project documentation of production, economic and other facilities with sanitary norms and regulations.

Sanitary-epidemiological expertise and consultations on assessment of affects of environmental factors on the people's health are conducted in the established order on instruction of principal state sanitary doctors, as well as on applications of individuals and legal entities.

Financing of expertise in the size of incurred expenses shall be provided by individuals and legal entities, whose activities (goods, works and services) undergo real investigation.

Institutions of sanitary-epidemiological services of the Ministry of Health of the Republic of Tajikistan and experts conducting sanitary-epidemiological expertise and consultations shall be responsible for their quality and objectivity in accordance with the Republic of Tajikistan.

Article 36. Sanitary-Epidemiological Certificates

Based on the results of sanitary-epidemiological expertise, investigations, research, testing, toxicological, hygienic examinations and other types of assessments drawn up in the established order by principal state sanitary doctors within their competence shall be given sanitary-epidemiological certificates.

Certain types of activities (works, services) representing potential threat to the lives and health of people shall be subject to compulsory sanitary-epidemiological expertise with issue of sanitary-epidemiological certificates in accordance with this Law.

Issue of sanitary-epidemiological certificates shall be subject to payment in the size of costs incurred.

Chapter V. STATE REGULATION IN THE SPHERE OF PROVISION OF SANITARY-EPIDEMIOLOGICAL SECURITY OF POPULATION

Article 37. State Sanitary-Epidemiological Regulation

State sanitary-epidemiological regulation shall include:

- development of unified requirements to conducting scientific research works on substantiation of sanitary norms and rules:
 - control over scientific research works on state sanitary-epidemiological regulation;
 - development (revision), expertise, approval and publication of sanitary norms and rules;
 - control over introduction of sanitary norms and rules, study and generalization of practice and their application;
- registration and systematization of sanitary norms and rules, formulation and maintenance of unified republican data base in the sphere of state sanitary-epidemiological regulation.

State sanitary-epidemiological regulation shall be implemented by bodies and institutions of the state sanitary-epidemiological services of the Republic of Tajikistan.

Article 38. Development and Approval of Sanitary Norms and Rules

Sanitary norms and rules shall be drafted by sanitary-epidemiological service of the Republic of Tajikistan.

Acts establishing sanitary norms and rules shall be under the direct jurisdiction of sanitary-epidemiological service of the Republic of Tajikistan | and their use in the acts of other ministries, agencies and institutions shall be agreed upon with the state principal sanitary doctor of the Republic of Tajikistan.

Sanitary norms and regulations approved and put in force by the sanitary-epidemiological service in the order established by this Law and other legal regulatory acts of the Republic of Tajikistan shall act in the territory of the Republic of Tajikistan.

Sanitary norms and rules shall be subject to registration and official publication in the order established by the legislation of the Republic of Tajikistan.

Article 39. Sanitary-Epidemiological Requirements

Sanitary norms and regulations shall establish sanitary-epidemiological requirements to:

- maintenance and exploitation of premises, buildings, constructions, equipment, transport means;
- selection of land plots under construction;
- designing, construction, reconstruction, conservation, putting into operation and liquidation of objects, including production, production and technical items;
- goods for personal and domestic needs and technologies of production;
- food products, their production, import, transportation, storage and sale;
- organization of catering to population;
- application of chemicals, biological and medical means and materials;
- household-drinking water supply and places of cultural-domestic water use;
- atmospheric air in settlements, in territories of industrial enterprises, air in production, residential and other premises;
- soils, maintenance of settlements' territories, industrial areas;
- collection, use, neutralization, transportation, storage and disposal of production and domestic waste;
- exploitation of production, public and residential buildings, premises, constructions, equipment and transport;
- work conditions;
- conditions of work with biological substances, biological and microbiological organisms and toxins;
- conditions of work with sources of physical factors affecting people;
- conditions of education, training and production practice of children and teenagers;
- hygienic education and training of the population;
- transport means and conditions of passengers' transportation;
- provision of radiation security;
- regulative-technical documentation (standards, technical conditions, etc.) developed for new types of raw materials, technological equipment and processes, tools, food inputs and products, construction materials, ionized radiation sources, package, chemical, biological and medicinal substances, packing and polymeric materials, perfumery-cosmetic, polygraph products and other consumer goods.

Article 40. Certification of Certain Types of Products, Works and Services that Represent Potential Danger for People

Certification of certain types of products, works and services that represent potential danger to people shall be implemented in accordance with legislation of the Republic of Tajikistan only in case of presence of sanitary-epidemiological certificate of the Ministry of Health of the Republic of Tajikistan on compliance of such products, works and service with sanitary rules and norms.

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

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

- available and first time introduced in production and not used earlier substances and materials and medications (further - substances) representing potential danger for the population;

- available, as well as first time imported to the territory of Republic Tajikistan food supplements, dye, products and materials, contacting with drinking water and food products.

State registration of substances and certain types of products indicated in this article shall be conducted on the basis of:

- expert evaluation of dangerous substances and certain types of products for the population and environment;

- establishment of hygienic and other content standards of substances, certain components of products;

- development of special measures, including conditions of utilization and disposal of substances and certain types of products, to prevent dangerous affect on population and environment.

State registration of substances and other types of products indicated in this Article, shall be conducted in the order established by the Ministry of Health of the Republic of Tajikistan. A charge will be paid for registration in the size of incurred expenses.

Register of substances and products allowed for application in the Republic of Tajikistan shall be subject to publication by the Ministry of Health of the Republic of Tajikistan.

Article 42. Social-Hygienic Monitoring

For appraisal, discovery of changes and forecast of the health state of the population and environment, identification and elimination of harmful affect of environmental factors on people social-hygienic monitoring shall be implemented.

Social-hygienic monitoring shall be conducted at the republican and local levels by bodies and institutions of sanitary-epidemiological services of the Republic of Tajikistan jointly with **the** local governments.

The procedure of social-hygienic monitoring shall be established by the Government of the Republic of Tajikistan.

Article 43. State Sanitary-Epidemiological Control

State sanitary-epidemiological control shall be implemented by the state sanitary-epidemiological service of the Republic of Tajikistan. State sanitary-epidemiological control shall include:

- measures to suppress violations of legislation in the sphere of sanitary-epidemiological security of population, issue of prescriptions and resolutions on violation of the legislation in the sphere of sanitary-epidemiological security of the population, as well **as** calling to account of persons, who committed violations;

- control of implementation of the legislation in the sphere of sanitary-epidemiological security of the population, sanitary-antiepidemic (preventive) measures, prescriptions and resolutions of officials implementing state sanitary-epidemiological control;

- sanitary-sequestration control in the passing points at the State Border of the Republic of Tajikistan;

- control of sanitary-epidemiological situation;

- sanitary-epidemiological investigations aimed at establishment of reasons and eliciting of conditions for emergence and propagation of infectious diseases and mass non-infection diseases (intoxications) of the population;

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

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

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

State sanitary-epidemiological service of the Republic of Tajikistan is the unified state centralized system of bodies and institutions implementing state sanitary-epidemiological control in the Republic of Tajikistan.

The state sanitary-epidemiological service of the Republic of Tajikistan comprises:

- bodies and institutions of the state sanitary-epidemiological service of the Ministry of Health of the Republic of Tajikistan;
- structural subdivisions of sanitary-epidemiological service of other ministries and departments;
- scientific-research organizations implementing operations in the sphere of provision of sanitary-epidemiological security of the population in accordance with the legislation of the Republic of Tajikistan;
- other sanitary-preventive organizations.

Bodies and institutions of state sanitary-epidemiological service of the Republic of Tajikistan shall be obliged to implement within their competence permanent close interaction in the issues of protection and strengthening of the population's health.

Organization of the operation of the state sanitary-epidemiological control system of the Republic of Tajikistan shall be implemented by the main state sanitary doctor of the Republic of Tajikistan - Deputy Minister of Health of the Republic of Tajikistan, as well as main state sanitary doctors of regions, towns, rayons, on transport means (air, water, railroad), main sanitary doctors of the structural subdivisions of other ministries and departments indicated in the paragraph four of the part two of this Article.

State sanitary doctors of the structural subdivisions of other ministries and departments indicated in the paragraph four of the part of this Article shall be subordinate according to their functions to the main state sanitary doctor of the Republic of Tajikistan.

Principal state sanitary doctors shall be heads of appropriate bodies and institutions of the state sanitary-epidemiological service of the Republic of Tajikistan.

Structure, tasks, functions, procedure of implementation of operations of the state sanitary-epidemiological service of the Republic of Tajikistan shall be established by the Government of the Republic of Tajikistan.

Article 45. Financing of the State Sanitary-Epidemiological Service of the Republic of Tajikistan

Financing of the state sanitary-epidemiological service of the Republic of Tajikistan shall be implemented at the expense of:

- republican and local budgets;
- funds received for implementation of works and services by institutions of the state sanitary-epidemiological service of the Republic of Tajikistan on agreements with individuals and legal entities;
- funds received from individuals and legal entities in order to compensate additional expenses incurred by the bodies and institutions of the state sanitary-epidemiological service of the Republic of Tajikistan for conducting of sanitary-epidemiological (preventive) measures;

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

To finance expenses under emergency situations for conducting measures on liquidation and prevention of propagation of infectious and non-infectious diseases (intoxications) of the population under the Ministry of Health of the Republic of Tajikistan a special «epidemiological» fund shall be created; and the right to use it shall be allocated to the principal state sanitary doctor of the Republic of Tajikistan.

Article 46. The Right of Bodies and Institutions of the State Sanitary-Epidemiological Service of the Republic of Tajikistan to Use Property and Land Plots

Premises, buildings, constructions, equipment, transport means and other property used by the bodies and institutions of the state sanitary-epidemiological service of the Republic of Tajikistan for implementation of their tasks shall be under the government property and shall be transferred to the above bodies and institutions for use exercising their rights as an economic entity or management in the order established by the legislation of the Republic of Tajikistan.

Land plots, on which buildings and constructions of the bodies and institutions of the state sanitary-epidemiological service of the Republic of Tajikistan are located, shall be allocated to their permanent use free of charge in the order established by the legislation of the Republic of Tajikistan.

Article 47. Officials of the State Sanitary-Epidemiological Service of the Republic of Tajikistan

Officials of the state sanitary-epidemiological service of the Republic of Tajikistan authorized, in accordance with this Law, to implement state sanitary-epidemiological control on behalf of bodies and institutions of the said services (further - officials in charge of state sanitary-epidemiological control) shall be the principal state sanitary doctors and their deputies, managers of structural departments and their deputies, experts of bodies and institutions of the said service.

The list of experts authorized to implement state sanitary-epidemiological control shall be established by the regulation on the state sanitary-epidemiological service of the Republic of Tajikistan approved by the Government of the Republic of Tajikistan.

Influence on the officials implementing state sanitary-epidemiological control in any form with the purpose to influence decisions taken or impede their activities shall not be allowed and shall entail responsibility established by the legislation of the Republic of Tajikistan.

Officials implementing state sanitary-epidemiological control shall be under the special protection of the state in accordance with the legislation of the Republic of Tajikistan.

The right to replace the positions of the principal state sanitary doctors and their deputies shall be given to the citizens of the Republic of Tajikistan with higher medical education and certificates on «sanitary, hygiene and epidemiology».

Article 48. Procedure of Appointment and Release of Officials of the State Sanitary-Epidemiological Service of the Republic of Tajikistan

The principal state sanitary doctor of the Republic of Tajikistan – deputy minister of health of the Republic of Tajikistan shall be appointed and released by the Government of the Republic of Tajikistan.

The principal sanitary doctors of the Gorno-Badakhshan Autonomous Oblast, regions, Dushanbe city, rayons of republican subordination shall be appointed and released by the Minister of Health of the Republic of Tajikistan in accordance with the legislation of the Republic of Tajikistan.

The head of the sanitary-epidemiological division of the Ministry of Health of the Republic of Tajikistan and the Principal Doctor of the Republican Sanitary-Epidemiological

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

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

In implementing their service obligations and upon submission of certificates officials implementing state sanitary-epidemiological control shall have the following rights:

- receive information on provision of sanitary-epidemiological security of the population from the ministries and departments, local governments, individuals and legal entities;
- conduct sanitary-epidemiological investigation;
- freely visit territories and premises of objects subject to the state sanitary-epidemiological control aimed at checking observation of legislation in sanitary-epidemiological security of the population, implementation of sanitary-hygienic and antiepidemic measures by individual entrepreneurs, persons implementing managerial functions in commercial or other organizations;
- visit, with consent of citizens, their living quarters with the purpose to inspect their living conditions;
- select samples of products for research, including food raw materials and products in the volumes and quantity established by the Ministry of Health of the Republic of Tajikistan;
- conduct inspection of transport means and goods transferred by them, including food raw materials and products, with the purpose to establish compliance of transport means and goods with sanitary norms and regulations;
- conduct research and measurement of environmental factors to establish compliance of such factors with sanitary norms and regulations;
- draw up protocols on violation of the legislation on sanitary-epidemiological security of the population.

In case of discovery of violations of the legislation on sanitary-epidemiological security of the population, as well as in case of danger of emergence of infectious diseases and mass non-infectious diseases (intoxications) officials in charge of state sanitary-epidemiological control shall have the right to give the citizens and legal entities prescriptions compulsory for implementation in the established time frame:

- on elimination of discovered violations of sanitary norms and regulations;
- on cessation of sale that does not comply with the sanitary norms and regulations or does not have a sanitary-epidemiological certificate of the product, including food raw materials and products;
- on conducting additional sanitary-hygienic and antiepidemic measures;
- on conducting laboratory examination of the citizens, who contacted infected people and medical control for such citizens;
- implementation of works on disinfection, disinsection and deratization in the infection disease center, as well on territories and in buildings, where conditions for emergence or propagation of infectious diseases are available and remain.

Article 50. Authorities of the State Principal Sanitary Doctors and their Deputies

State principal sanitary doctors and their deputies shall also be imposed the following authorities within their competence, along with their rights envisaged by this Law:

- consider materials and cases on violations of legislation in sanitary-epidemiological security of the population;
- transfer in the established order materials on violation of the legislation on sanitary-epidemiological security of the population to the court;
- issue sanitary-epidemiological certificates envisaged by this Law;
- invite the citizens, individual entrepreneurs, officials for consideration of materials and cases on violations of the legislation on sanitary-epidemiological security of the population to the bodies and institutions of sanitary-epidemiological services of the Republic of Tajikistan;

— issue prescriptions compulsory for implementation within the given period to individuals and legal entities;

— conduct, in accordance with their activities, sanitary-epidemiological expertise, inspections, studies, testing of lexicological, hygienic and other types of assessments envisaged by this Law.

At disclosure of violations in the legislation on sanitary-epidemiological security of the population creating danger of emergence and propagation infectious diseases (intoxications), grounded resolutions on suspension of exploitation until elimination of such violations or prohibition in case of impossibility to eliminate shall be issued in the following cases:

— designing, construction, reconstruction, technical reequipment of objects and putting into operation;

—exploitation of objects, production workshops and areas, premises, buildings, constructions, equipment, transport means, implementation of certain types of works and services;

— development, production, implementation and application (use) of the products;

— production, import, storage, transportation and sale of food resources, food supplements, drinking water, pesticides and materials and items contacting with them;

— use of water facilities with the purpose to ensure economic-consumer water supply and other needs;

—import to the territory of the Republic of Tajikistan of the products without sanitary-epidemiological certificates on compliance with the sanitary norms and regulations or chemical, biological, radioactive substances, certain types of products, waste, goods, freight not registered in the order established by the legislation of the Republic of Tajikistan.

In case of emergence and propagation of infection diseases representing danger for those around grounded resolutions shall be issued:

— on hospitalization for examination or isolation of the infected people representing danger for those around and persons suspected for such diseases;

— on conducting of compulsory medical examination, hospitalization or isolation of citizens being in contact with the infected people representing danger for those around;

— on temporary removal from work of persons carriers of infection diseases' pathogens, who can be sources of propagation of infection diseases;

— on removal from work of persons carriers of infection diseases' pathogens and who can be sources of propagation of infection diseases, related to the peculiarities of their work or production;

— on conducting of preventive vaccination to citizens or certain groups of citizens on epidemic indications;

— on introduction (cancellation) of restrictive measures (sequestration) in organizations and objects.

For violations of the legislation on sanitary-epidemiological security of the population grounded resolutions shall be issued:

— on imposing of administrative punishment;

— on sending of materials on violation of the legislation in sanitary-epidemiological security of the population to the law-enforcement bodies for solving the issues of bringing actions.

The following proposals shall be introduced:

— to the Government of the Republic of Tajikistan, local governments on implementation of measures to improve sanitary-epidemiological situation and fulfillment of legislative requirements on sanitary-epidemiological security of the population, as well as proposals on draft programs of social-economic development of territories, republican and regional target programs to provide sanitary-epidemiological security of the population , protection and strengthening of the population's health, environment protection;

— to the local governments on introduction (cancellation) of restrictive measures (sequestration);

— to legal entities on bringing the taken decisions, orders, resolutions and instructions related to provision of sanitary-epidemiological security of the population in compliance with the legislation on sanitary-epidemiological security of the population;

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

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

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

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

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

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

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

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

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

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

— approve instructions and other documents regulating the procedure to implement state sanitary-epidemiological control on objects of air, water, railroad and automobile transport, defense and other special designation.

In case of failure to meet the requirements of the resolutions of the principal state sanitary doctors by individuals and legal entities shall be sent to the court at the place of the respondent's location for provision of forced implementation in the established order.

Article 51. Obligations of Officials in Charge of State Sanitary-Epidemiological Control

Officials in charge of state sanitary-epidemiological control shall be obliged to:

— timely and in full implement competencies envisaged by this Law on prevention, discovery and suppression of violations of the legislation on sanitary-epidemiological security of the population;

— establish reasons and conditions of emergence and propagation of infection diseases and mass noninfection diseases (intoxications);

— consider applications of individuals and legal entities on issues of sanitary-epidemiological security of the population and take appropriate measures;

— inform ministries and departments, local governments, as well as the population on sanitary-epidemiological situation and on measures taken by the bodies and institutions of sanitary-epidemiological services of the Republic of Tajikistan to provide sanitary-

epidemiological security of the population;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chapter VII. FINAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

**Article 57. On Consideration of the Law of the Republic of Tajikistan
«On State Sanitary Control» Invalid**

The Law of the Republic of Tajikistan from July 20, 1994 «On State Sanitary Control» (Gazette of the Supreme Soviet of the Republic of Tajikistan, 1996, No. 3, Article 48, Section IX, 1997 No. 23-24, Article 333, Section XXII) shall be recognized invalid.

Article 58. Procedure of Enactment of this Law

This Law shall be enacted upon its official publication.

**President of the
Republic of Tajikistan**

Emomali Rahmonov

Dushanbe, December 8, 2003, No. 49