

THE LAW OF THE REPUBLIC OF TAJIKISTAN

On State Sanitary Supervision

The present Law adjusts the public and legal relations on maintenance of sanitary-epidemiological prosperity and radiating safety of the population, fixes the right of the man on a favorable environment and other rights, connected to it, and guarantees their fulfillment.

Section I. GENERAL PROVISIONS

Article 1. The legislation on sanitary supervision

1. The legislation on sanitary supervision consists of the present Law and normative-legal acts, of institutions of state authorities and management within their powers promulgating and in accordance with it.

2. The sanitary legislation adjusts to public relations in the sphere of the sanitary-epidemiological prosperity of the population, as a necessary condition of realization of rights and interests of the citizens and society tasks, the preservation and strengthening of health, physical and spiritual development, long active life of the citizens of the republic.

Article 2. Sanitary-epidemiological prosperity of the population

1. Sanitary-epidemiological prosperity is the condition of public health and dwelling environment of the people, in which dangerous and harmful influence of its factors on organism of the man is absent and which is achieved by realization of the complex legislative, social-economic, design, technical, sanitary-hygienic, sanitary - anti-epidemic and organizational measures.

2. Sanitary-epidemiological prosperity of the population is provided by:

a) realization of the republican, regional, urban and district programs on strengthen the health and disease prophylaxis of the population, the improvement of sanitary conditions of the human dwelling environment and conditions of his vital activity;

b) realization of hygienic and anti-epidemic measures, and also observance of sanitary rules, norms and hygienic normative by state bodies and public unions, enterprises and other economic subjects, organizations and

institutions, irrespective of their subordination and forms of property, officials, functionaries and citizens, as component part of their activity;

c) combination of economic interest of the juridical persons and citizens (foreign citizens and stateless persons) in observance of the sanitary legislation of the Republic of Tajikistan with their responsibility for sanitary infringement of the present legislation;

d) wide information to the population about the state of health, hygienic and epidemiological conditions conducting sanitary-prophylactic measures;

e) education of high sanitary culture of the population;

f) system of state sanitary-epidemiological supervision on production and public control.

Article 3. Sanitary rules, norms and hygienic normative

1. Sanitary rules, norms and hygienic normative (further sanitary rules) are normative acts establishing the criteria of safety and (or) harmlessness for human factors on his dwelling environment and the requirements to provide favorable conditions for his vital activity.

2. The sanitary rules are obligatory for observance by all state bodies and public associations, enterprises and other economic subjects, organizations and institutions, irrespective of their subordination and forms of property, officials and citizens (further - enterprises, organizations and citizens).

3. Republican sanitary norms and rules functioning within the Republic.

4. The order of elaboration, confirmation, publication, implementation and reconsideration of republican sanitary rules are established by the Government of the Republic of Tajikistan.

Article 4. Problems of sanitary-epidemiological prosperity of the population

1. The following areas of competence high bodies of the state authority and management of the republic are attributed:

a) formation and realization of uniform state policy in the field of population sanitary-epidemiological prosperity of provision;

b) perfection of the legislation on sanitary supervision;

c) regulation of activity of ministries, departments, institutions

(irrespective of subordination) on problems of sanitary-epidemiological prosperity of the population;

d) elaboration, confirmation and control of implementation of the republican programs of population's sanitary-epidemiological prosperity provision, inculcation of scientific and technical achievements in the sphere of the prophylaxis of diseases;

e) provision of effective activity of state sanitary-epidemiological service:

f) establishment and cancellation of the special conditions and regimes of population leaving and conduct of economic activities directed on prevention and liquidation of extension of infectious, non-infectious diseases and poisonings of the people;

g) cooperation with other members of international society in the sphere of provisions of sanitary-epidemiological prosperity of the population.

2. The following are attributes to the competence of local management bodies:

a) coordination of the activities of the enterprises, organizations and citizens on the implementation by them the complex hygienic and anti-epidemic measures;

b) elaboration, confirmation of the local programs on provisions of sanitary-epidemiological prosperity of the population and control on its execution, as well as realization of the republican programs on similar problems;

c) organization of operative measures on prevention and liquidation of epidemics of infectious, non-infectious diseases and poisonings of the people;

d) acceptance of the decisions about introduction and cancellation of quarantine within the area in case of emergence of epidemics of infectious, non-infectious diseases and poisonings of the people;

e) provisions of conditions for realization and protection of the rights of the citizens and interests of society on the sanitary-epidemiological prosperity of the population;

f) realization within the powers, given by the current legislation, of the policy of economic stimulation of activities of the legal entities and citizens directed at the prevention and liquidation of harmful influence man-made factors of regarding the environment, prophylaxis of diseases, improvement of hygienic conditions of the people's labor and life.

Section II. RIGHTS AND DUTIES OF THE ENTERPRISES,
ORGANIZATIONS AND CITIZENS, PROTECTION AND
GUARANTEES OF THEIR RIGHTS ON PROBLEMS OF SANITARY-
EPIDEMIOLOGICAL PROSPERITY

Article 5. The rights of the citizens of the Republic of Tajikistan

1. The citizens of the Republic of Tajikistan have the right to live in favorable environment (environment, working condition, mode of life, rest, upbringing and education, feed consumed or used production for the national economy), which factors should not exert dangerous and harmful influence on organism of the man of the present and future generations.

This right is provided by the implementation of the complex measures on the prevention of the influence on organism of the men of unfavorable factors of his environment, execution by the enterprises, organizations and citizens the requirements of the sanitary legislation of the Republic of Tajikistan .

2. The citizens of the Republic of Tajikistan have the right of compensation in the full amount from damage or harm, caused to their health as a result of the violation of the sanitary rules involved emergence of infectious and (or) non-infectious diseases and poisonings of the people, as well as occupational diseases.

The compensation of damage is made by the enterprises, organizations, citizens allowed infringements of sanitary rules, voluntary or under the decision of court.

The compensation of damage from harm, caused to health of the citizens, is made directly to suffered or, at his desire, to organization which is taking up the obligations on his insurance.

The disputes concerning the sizes and orders of compensation of damage as a result of infringements of sanitary rules are permitted in the judicial order.

3. The citizens of the Republic of Tajikistan at the reference in the appropriate institution have the right to the receive of complete and reliable information:

- About state of the environment and health of the population, epidemiological conditions of the acting sanitary rules;
- About accepted measures on provision of sanitary-epidemiological prosperity and their results;
- About quality of the produced goods of people consumption,

including foodstuff, and drinking water.

4. The citizens of the Republic of Tajikistan directly or through their agents or through public associations have the right to participate in elaboration, discussion formulation and decision process regarding the provision of sanitary-epidemiological prosperity of the population.

Article 6. Duties of the citizens of the Republic of Tajikistan

The citizens of the Republic of Tajikistan are obliged by law:

1) To take care of condition of health, the health and hygienic education of children, using all available opportunities, by society, on the proper formation of healthy way of life;

2) To observe acting sanitary legislation;

3) To carry out or to take part in realization of hygienic anti-epidemic measures;

4) To carry out the conclusions, decisions and instructions and orders of the officials of the state sanitary-epidemiological service.

Article 7. The rights and duties of the foreign citizens and stateless persons

The foreign citizens and stateless persons within the Republic of Tajikistan make use of the same rights and responsibilities in the sphere of provision of sanitary-epidemiological prosperity of the population, as citizens of the Republic of Tajikistan .

Article 8. The rights of the enterprises and organizations

1. The enterprises and organizations at the reference to bodies of state authority and administration have the right to reception from them on the contractual basis the information about sanitary-epidemiological state, state of natural environment diseases of the population, acting sanitary rules.

2. The enterprises and organizations have the right to participation in elaboration of decisions by bodies of state authority and administrations, programs of provision of sanitary-epidemiological prosperity of the population.

3. The enterprises and organizations have the right to establish the raised prices on production of national consumption, the quality of which according to the conclusion of bodies and institutions of the state sanitary-

epidemiological service testify to complete absence of its chemical, radioactive and microbiological pollution, and influence of the harmful physical factors on organism of the man.

Articles 9. Duties of the enterprises and organizations

The enterprises and organizations are obliged:

1) to provide observance of the working sanitary legislation and established sanitary rules, to carry out the industrial control of the execution of sanitary rules;

2) to develop and to implement hygienic and anti-epidemic measures directed at the prevention and liquidation of pollution of environment, improvement of working conditions, life and rest of the population, prevention of emergence and extension of diseases;

3) to inform duly bodies and institutions of the state sanitary-epidemiological service about emergencies, stops of production, infringement of technological processes creating threat to sanitary-epidemiological prosperity of the population;

4) to carry out the conclusions, decrees, orders and instructions of the officials, of bodies and institutions of the state sanitary-epidemiological service of the Republic of Tajikistan, including about suspend or termination of financing of the building and reconstructing objects and technologies with infringement of sanitary norms and rules;

5) to take measures of material stimulation directed at increase of interest of labor collectives and the separate workers in observance of the requirements of the sanitary legislation and sanitary rules;

6) to create conditions for maintenance and increase of a level of health of the workers and population, for the prevention of diseases and formation of a healthy way of life of the people;

7) to carry out hygienic training, both education of the workers and population directed at increase of sanitary culture of the people and observance of the healthy way of life;

8) to provide realization of the rights of the citizens and other subjects of the legal relations stipulated by Articles 5 and 8 of the present Law.

Article 10. Protection of the rights of the citizens and other subjects of the legal relations

The decisions of bodies of the state authorities and administration, officials, both collegiate and individual, as well as their actions restraining the rights of the juridical persons and the citizens, stipulated by Articles 5 and 8 of the present Law, can be appealed against in a month-time in higher on subordination organization. At disagreement with the accepted decision these actions can be appealed against in court in the order established by the legislation.

The submission of the complaint does not stop appealed decision and action.

Section III. COMMON REQUIREMENTS ON PROVISION OF THE
SANITARY-EPIDEMIOLOGICAL PROSPERITY OF THE POPULATION

Article 11. Planning and building of the settlements

1. The planning and building of the settlements should provide creation of the most favorable conditions for life and the health of the local population, complex adjustment of cities and other settlements, prevention and liquidation of harmful and dangerous influence of the factors of natural environment and conditions of the vital activity on the health of humans.

2. When elaboration of norms of designing, general plans of cities, projects of the planning and building of the settlements, projects of the district planning, solving the problems of allocation of objects of civil, industrial and agricultural purpose, selection of the plots of land for building, and also at designing, construction, reconstruction and the modernization of objects (starting complexes, erections, means of transport and engineering networks) working sanitary rules should be carried out.

3. Granting the plots of land for the building, establishment of designing norms, design and normative-engineering specifications on construction (reconstruction, modernization), building and the commissioning of dwelling houses, buildings and erections of cultural-household, housing-municipal purpose, industrial, transport and other enterprises (starting complexes) and erections, as well as means of transportation is allowed only at presence of the conclusion of bodies or institutions of the State sanitary-epidemiological service about their conformity to the sanitary rules.

4. Enterprises, organization and citizens responsible for performance

of works on designing and construction of objects, buildings and erections, in case of non-observance of sanitary rules or impossibility of their execution, are obliged to suspend or completely stop realization of these works and financing under decisions of the main state sanitary doctor or his deputy.

Article 12. Materials, goods and other production of national economy, the technology of their manufacturing

1. Production of a national economy, manufacture, transportation, storage and use of which demand direct participation of manpower and can render unfavorable influence on his health, according to the indications and the properties that should correspond to the current sanitary rules.

2. The new technologies, materials, stuffs and goods intended for use in national economy and life, are allowed to organization on manufacture, to inculcation and use only on the basis of the conclusions of bodies or institutions of the State sanitary-epidemiological service of the Republic of Tajikistan about their conformity to sanitary rules.

3. The enterprises, organization and citizens who are producing production, not appropriate to acting sanitary rules, are obliged to suspend its manufacture and (or) realization under the decision of the main state doctor or his deputy.

Article 13. Food raw material, foodstuff, technology of their manufacturing and materials, contacting to them, materials and goods

1. The quality of food raw material and foodstuff, materials and goods contacting to them during manufacturing, storage, transportation and realization to the population, should correspond to the established sanitary rules.

2. Elaboration and putting on manufacture of new kinds of foodstuff, inculcation of new technological processes and the technological equipment, manufacture of container, utensils and packing materials, application of the food additives and other stuffs are permitted only on the basis of hygienic estimation of their conformity to the sanitary requirements of bodies or institutions of the State sanitary-epidemiological service.

3. Food raw material, foodstuff and materials, contacting to them, and the products which are not appropriate to sanitary rules are removed immediately by its manufacturer (seller) from manufacture and (or)

realization under the decision of the main state sanitary doctor or his deputy.

Article 14. Production, purchased abroad

Production purchased abroad, and the application or use of demands direct human participation should correspond to sanitary rules and international requirements of safety for humans.

Enterprises, organization and citizens who are carrying out the conclusion of the contracts, delivery and realization in the Republic of Tajikistan of such production, are obliged to provide performance of the requirements, established by the present Article.

Article 15. Economic-drinking water supply of the population

1. The inhabitants of cities and other settlements should be provided with safe drinking water in sufficient quantities for the satisfaction of physiological and economic needs of humans.

2. The bodies of local self-management, enterprise and organization are obliged to carry out the measures directed at the development of the systems of centralized water supply.

Article 16. Sources of water use of the population

1. The quality of water used for centralized and not centralized water supply, for bathing, employment by sport and leisure of the population for medical purposes, as well as quality of water of reservoirs in the line of the settlements should correspond to existing sanitary rules.

2. With the purposes of liquidation and the prevention of pollution of sources of water use of the population by the Government of the Republic of Tajikistan, bodies of the executive authority (Hukumats) of regions, cities and districts zones of sanitary protection with a special regime are established. (Law from 01.02.96, № 223)

3. The enterprises, organization and citizens in case of discrepancy of quality of water to sanitary rules are obliged to provide the termination of use by the population the water sources according to the decision of the main state sanitary doctor or his deputy.

Article 17. Atmospheric air of the settlements, air of a working zone and places of constant and locations of temporary and permanent stay of the people

1. Atmospheric air of the settlements, territories of the industrial enterprises, air of a working zone of industrial and other premises in places of constant and temporary stay of the people should correspond to sanitary rules.

2. With the purposes of prevention of pollution of atmospheric air of territories of inhabited building of the settlements by industrial emissions by bodies of the executive authority on places (Hukumats) sanitary-protective zones with a special regime are established. (Law from 01.02.96, № 223)

3. Enterprises, organization and citizens are obliged to carry out complex measures directed at prevention and liquidation of pollution of the air environment by harmful elements, influence of the physical factors on it, which cause unfavorable influence on health of the man.

Article 18. Burying, processing, neutralization and utilization scraps industrial and household scraps, contents of territory of the settlements

1. Industrial and household scraps are subject to gathering, processing, neutralization, burying, utilization, conditions and ways that should satisfy the requirements of safety and harmlessness for health of the population.

2. The territories of the settlements, enterprises and organizations should be kept according to the sanitary rules.

3. The order and the conditions of provision of an appropriate sanitary condition of territories of the occupied places are established by the appropriate local bodies of the executive authority (Hukumats) and self-management (Jamoats). (Law from 01.02.96, № 223)

Article 19. Exploitation of industrial, public buildings, premises, and equipment

1. During exploitation of industrial, public premises, buildings, structures and equipment favorable for health of the people. working condition, life and leisure should be provided, measures on protection of natural environment, as well as under the prevention of emergence and extension of diseases among the population should be carried out.

2. Enterprises, organization and citizens are obliged to suspend or completely stop the activity or work of separate shops, plots, construction, equipment, means of transportation, execution and rendering of separate kinds of works and services in case of non-observance of the established sanitary rules according to the decision of the main state sanitary doctor or his deputy.

Article 20. Activities with sources of ionic and non-ionic radiation

1. At performance of activities with radioactive stuffs and other sources of ionic and non-ionic radiation (noise, vibration, electromagnetic fields of radio-frequencies, ultrasound and other kinds of radiation) current sanitary rules should be observed.

2. Manufacture, use, storage, transportation and burying of radioactive stuffs, other sources of ionic radiation, and use of sources of electromagnetic fields are admitted only by the permission on these kinds of activity of bodies and institutions of the State sanitary-epidemiological service.

Article 21. Conditions for the upbringing and education of the citizens of Tajikistan

1. In children's preschool and health improving institutions, schools, professional-technical schools, high and secondary special educational institutions and at the enterprises realizing the upbringing, education and professional training, the conditions for preservation and strengthening of health of the citizens and prophylaxis of diseases, as well as observance of sanitary rules should be provided.

2. The programs, techniques, regimes of up bringing education and professional training are established in accordance with agencies or institutions of the State sanitary-epidemiological service about their conformity to working sanitary rules.

Article 22. Prophylactic medical surveys

1. With the purposes of protection of health, prevention of emergence and extension of diseases the workers of the enterprises and organizations, the citizens engaged in individual labor activity, should pass medical surveys both at employment, and in subsequent.

The prophylactic medical surveys of workers are included into the list of services rendered at obligatory medical insurance.

2. The list of harmful production factors and works, that ones in the execution of the preliminary and periodic surveys as they are carried out, and order of their realization are established by the State sanitary-epidemiological service of the Republic of Tajikistan on concordance with Soviet of trade unions of the Republic of Tajikistan .

4. In case of necessity under the decision of the Chairman of the Mountain-Badakhshan Autonomous Region, regions, the cities, districts in separate organizations and at the enterprises, additional conditions and indications to realization of medical surveys can be introduced. (Law from 01.02.96, №223)

Article 23. Prevention and liquidation of infectious, non-infectious diseases and poisonings of the people

1. The necessary complex, organizational, engineer-technical, prophylactic, medical, hygienic and anti-epidemic measures, with the purposes of the prevention of emergence and extension, as well as the liquidations of infectious, non-infectious diseases and poisonings of the people, should be carried out in time and in full.

2. In case of extension of infectious, non-infectious diseases and poisonings of the people in separate areas and settlements by the Government of the Republic of Tajikistan, decision of the Chairman of the Mountain – Badakhshan autonomous region, regions, cities, districts the special conditions and regimes of economic activity and life of the population can be introduced.

3. For an operative management and coordination of activity of organizations, enterprises and citizens on prevention and liquidation of infectious diseases and poisonings of the people, extreme anti-epidemic commissions are formed by the Government of the Republic of Tajikistan and bodies of the executive authority (Hukumats) of regions, cities and districts. (Law from 01.02.96, №223)

4. The patients suffering from infectious diseases, citizens with suspicion on such diseases and contacting with the infectious patients, are subject to laboratory examination and medical observance, and if necessary - treatment, obligatory hospitalization and isolation (quarantine).

The citizens being carriers of activators of infectious illnesses, are subject to treatment and if necessary to isolation. The same citizens, if they

can be sources of extension of infectious diseases in connection with features of manufacture, in which they are engaged, or carried out work, temporarily are transferred to other work, and at the impossibility of temporarily transference, until full recovery, are dismissed from the work with payment of benefits according to the current social insurance.

5. For the prevention of infectious diseases citizens would be vaccinated. Applicability, order, terms of realization and the groups of the population subject to vaccination are determined by the Ministry of Health of the Republic of Tajikistan .

Article 24. Specialized expert examination and consultation on problems of provision of the sanitary-epidemiological prosperity

1. The Science Research Institutions and organizations, high educational schools within the their competence and according to order of bodies of state authority and administration should carry out specialized expert examination and consultation on evaluation of influence of the factors of dwelling environment on the man health.

2. The institutions, organizations and other experts conducting examination and consultation bear responsibility for its subsequent quality, objectivity and completeness with the consideration of modern level of the scientific and technical progress.

Article 25. Hygienic upbringing and education of the citizens of Tajikistan

1. With the purpose of increasing the sanitary culture of the population, the prophylaxis of diseases, for regarding the whole extension of the knowledge healthy look at life, a hygienic upbringing and education of the citizens should be implemented.

2. Hygienic up bringing and education of citizens is implemented during the process of:

their up bringing in the family, stay in children's preschool institutions, training at schools and professional-technical schools, high and secondary special educational schools, by preparation, retraining and improvement of professional skill of the experts of branches of a national economy by inclusion in the programs of training and education of sections about hygienic knowledge;

Professional hygienic preparation and certification of the chiefs, experts both other workers of the enterprises and organizations, the character of which activity is connected to manufacture, storage, transportation both realization of foodstuff and drinking water, education and training of children, municipal and household service of the population.

Section IV. RESPONSIBILITY FOR INFRINGEMENT OF THE SANITARY LEGISLATION OF THE REPUBLIC OF TAJIKISTAN

Article 26. The responsibility for infringement of the sanitary legislation

The enterprises, institutions, organization, (irrespective of patterns of ownership), officials, and citizens of the Republic of Tajikistan , foreign citizens and stateless persons that are responsible for infringement of the sanitary legislation bear responsibility according to the current legislation.

Article 27. The economic responsibility of the enterprises and organizations for infringement of the sanitary legislation of the Republic of Tajikistan

1. The enterprises and organizations which have allowed pollution of natural environment, issue and (or) realization of production, which use has resulted in emergence of infectious, non-infectious diseases and poisonings of the people, are obliged according to the decision of the main state sanitary doctor or his deputy:

to pay the penalty;

to compensate any additional expenditures of treatment-prophylactic and sanitary-prophylactic institutions on rendering medical help to the patients, carrying of hygienic and anti-epidemic of measures determined by bodies of public health services.

In default from the voluntary reimbursement and payment of the penalties the dispute is authorized in the judicial order.

Section V. STATE SANITARY-EPIDEMIOLOGICAL SUPERVISION,
INDUSTRIAL AND PUBLIC CONTROL

Article 28. State sanitary-epidemiological supervision

1. State sanitary-epidemiological supervision is the activity of agencies and sanitary- prophylactic institutions directed to prophylaxis of diseases of the people by the prevention, detection and intersection of infringements of the sanitary legislation.

2. State sanitary-epidemiological supervision includes:

a) observance, estimation and forecasting of the state of health of population in connection with the state of their dwelling environment;

b) revealing and establishment of the reasons and conditions of emergence and extension of infectious, non-infectious diseases and poisoning of the population;

c) elaboration of necessary offers for the execution of measures providing sanitary-epidemiological prosperity of the population;

d) realization of the control on carrying out of hygienic and anti-epidemic measures on observance of working sanitary rules by the enterprises, organizations and citizens;

e) employment of measures of suppression of a sanitary offence and attraction to the responsibility of the persons made them;

f) conduct of the state registration of infectious, professional, non-infectious diseases and poisonings of the population in connection with unfavorable influence on health of the man of the factors of his dwelling environment, as well as the sanitary statistics.

3. The realization of the state sanitary-epidemiological supervision is assigned to the State sanitary-epidemiological service.

Article 29. The industrial control

The duty on maintenance of the industrial control on observance of the established sanitary rules is assigned to administration of the enterprises and organizations, citizens engaged in individual labor activity, during manufacture (activity) and on execution of measures directed at the prevention and liquidation of pollution of the natural environment, on working conditions, life, rest, training and education of the people, for hygienic quality indicators of the output.

Article 30. The public control

The public associations of citizens according to their charters and other normative acts regulating their activity, have the right to carry out the public control on implementation of the established sanitary rules and inform about its results institutions of the State sanitary-epidemiological service of the Republic of Tajikistan .

Article 31. Interaction at realization of the state sanitary-epidemiological supervision, industrial and public control

The organization of the industrial and public control according to Articles 29 - 30 of the present Law is carried out in cooperation with agencies and institutions of the State sanitary-epidemiological service.

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

Article 32. Organization of the state sanitary-epidemiological service

1. State sanitary-epidemiological service makes uniform system, it is enters into structure of Ministry of Health of Republic of Tajikistan – and it is headed by the main state sanitary doctor of the Republic of Tajikistan – deputy of the Minister of Health.

2. Into system of agencies and institutions of the State sanitary-epidemiological service of the Republic of Tajikistan enter:

The sanitary-epidemiological Administration of the Ministry of Health of the Republic of Tajikistan ;

Republican sanitary-epidemiological stations;

Regional, urban and district sanitary-epidemiological and disinfecting stations;

Sanitary-epidemiological station on air transport, railway, Ministry of Internal Affairs and Ministry of Safety of the Republic of Tajikistan;

Tajik anti-plague station;

Tajik SRI (Science-Research Institute) of prophylaxis medicine;

Republican, regional Centers on prophylaxis and struggle with AIDS.

3. The financing and material-technical provision of the State sanitary-epidemiological service is carried out from republican and local budgets and out of budget means acting in the order, established by Government of the Republic of Tajikistan . (Law from 01.02.96, № 223)

With the purposes of financing of expenses on realization in extreme situations hygienic and anti-epidemic measures on liquidation and prevention of extension of infectious and other mass diseases and poisonings of the population at Ministry of public health services of the Republic of Tajikistan forms special fund (epidemiological) right to its management is assigned to the main state sanitary doctor and his first deputy.

Article 33. The order of appointment and dismissal of the officials of the State sanitary-epidemiological service of the Republic of Tajikistan

1. The main State sanitary doctor of the Republic of Tajikistan on a post is the deputy of the Minister of public health services of the Republic of Tajikistan , which is appointed and dismissed by the Government of the Republic according to the presentation of the Minister of public health services of the Republic of Tajikistan.

2. The main doctors of regional, urban and district sanitary-epidemiological institutions are the Main State sanitary doctors of regions, cities and districts and deputies of the chiefs of Administrations or managers of departments of the public health services of bodies of the executive authority (Hukumats) are appointed and dismissed from a post at the discretion of the order established by the Law of the Republic of Tajikistan ("About local State authorities" and other acts of the Republic of Tajikistan").

3. The duties of the deputy of the Main State sanitary doctor of the Republic of Tajikistan are assigned to the chief sanitary-epidemiological management and main doctor of Republican sanitary-epidemiological station. (Law from 01.02.96, № 223)

Article 34. The rights of the officials of the state sanitary-epidemiological service of the Republic of Tajikistan

1. The main state sanitary doctor of the Republic of Tajikistan, main state sanitary doctors of regions, cities and districts and their deputies have the right:

a) to submit to bodies of state authority and management offers

on problems of the execution of the sanitary legislation, and also on projects of the plans of social and economic development of areas, complex programs of protection of health of the population, protection of the natural environment, improvements of working conditions and dwelling of citizens, directed to provisions of the sanitary-epidemiological of prosperity of the population;

b) freely visit (after presenting of the business card) and carry out supervisions of the organizations, enterprises, housing conditions, conditions of labour of the citizens engaged in individual labor activity, with the purpose of examination of execution of the sanitary legislation of the Republic of Tajikistan, carrying out hygienic and anti-epidemic measures and observance of working sanitary rules;

c) to present to the enterprises, organizations and citizens requirement about realization of hygienic and anti-epidemic measures and removal of infringement of rules, and carry out the control on execution of these requirements;

d) to charge realization of the specialized expert examinations and according to their results to present conclusions based on the acting sanitary rules to the enterprises, organizations and citizens;

e) to reveal and to establish the reasons and conditions of emergence and extension of the infectious, occupational diseases, also non-infectious diseases and poisonings of the people caused by unfavorable influence of dwelling environment factors on organism of the man;

f) to suspend, before realization of necessary measures and removal of available infringements of sanitary rules, and in case of impossibility of their observance to stop:

- Work in designing and building, also on introduction into the exploitation by the construction of objects and their starting complexes;

- Exploitation of the acting enterprises, organizations, separate production shops, plots, premises, buildings, erections, equipment, means of transportation, as well as execution of particular kinds of works and production activity;

- Elaboration, organizations of manufacture, manufacture and employment (use) of national economy;

- Manufacture, storage, transportation and realization of food raw material and foodstuff, use of water (water sources) for the drinking, economic and cultural-improving purposes;

g) Submit proposals to bodies of state authority and administrations, as well as to financial-credit agencies:

- About prohibition or introduction on separate territories the special conditions both regimes of habitat of the population and the realization by them of any economic activity directed to the liquidation and the prevention of extension of the infectious diseases and poisonings of the population;

- About suspending of financing (crediting) of works on designing, building, as well as economic activity of the enterprises, organizations and citizens in case of default of the sanitary rules, decisions of agencies and administrations of the State sanitary-epidemiological service, by them;

- About suspending or termination of this activity;

h) take decisions:

- About the temporary dismissal from work of citizens that are carriers of activators of infectious illnesses and able to be sources of their extension in connection with features of carried out work or manufacture, in which they are engaged;

- About realization of laboratory examination and medical observance over the citizens contacting to the patients by infectious diseases;

- About obligatory hospitalization of the infectious patients and citizens with suspicion on infectious disease representing danger for environmental;

- About realization of disinfecting, disinjection and deratization in the centers of infectious diseases, as well as in premises and on the area, where conditions for the emergence or extension of infectious diseases are kept;

- About realization of prophylactic vaccination to the population or particular groups of the citizens on according to epidemiological testimony;

i) call to institutions of the State sanitary-epidemiological service officials and citizens for consideration of materials on the facts of infringements of the sanitary legislation and sanitary rules;

j) to consider affairs on sanitary infringements, to impose administrative penalty, transfer materials to investigating authorities for instituting of proceedings, present to the higher officials or bodies of administration offers about application of measures of disciplinary influence;

k) to present demands:

- For compensation of damage from harm, caused to health of the citizens;

- For compensation on expenses of the treatment-prophylactic and sanitary-prophylactic institutions on realization by them hygienic, anti-epidemic and medical measures at emergence of infectious diseases and

poisonings of the citizens;

- For payment of the fines;

l) to receive without any restrictions from the enterprises, organizations and citizens information and documents necessary for execution of tasks, assigned on agencies and institutions of the State sanitary-epidemiological service of the Republic of Tajikistan ;

m) to withdraw samples of materials, stuffs, goods, foodstuff, air, water and soil for laboratory researches and realization of hygienic examination.

2. The Main State Sanitary doctor of the republic and his deputy have the right to confirm according to the established order, republican sanitary rules, to promulgate them and put them into effect.

3. The main state sanitary doctor of the republic and his deputies have also right to charge to organizations and institutions carry out specialized expert examinations and consultations and to present to the enterprises, organizations and citizens the conclusion on norms of designing, normative-technical, technological and maintenance documentation on new (modernized) production of the national economy and technology of its manufacturing, on contract documentation on delivery to the Republic of Tajikistan from abroad the production intended for use in national economy and everyday life, and also foodstuff and food raw material, on programs and regimes of up bringing, education, educational-labor activity.

4. The rights stipulated in the sub-items "b", "c" of item 1 of the present Article, are extended also on officials and specialists of agencies and institutions of the State Sanitary-Epidemiological Service.

Article 35. Duties and responsibility of officials and specialists of the State sanitary-epidemiological service of the Republic of Tajikistan

The main state sanitary doctors, other officials and specialists of the State sanitary-epidemiological services carrying out the state sanitary-epidemiological supervision, within the limits of the competence are obliged:

a) to use in time and in complete measure of prevention discovery and curbing of infringement of the sanitary rules presented to them full powers;

b) to coordinate the own activity of the bodies of state authority and the administration, public associations of the citizens interested in affair of protection of the rights and interests, of the citizens and society on protection

and the strengthening of health of the population, provision of its sanitary-epidemiological prosperity;

c) to keep state and commercial secret concerning the information, which can become clear during the execution of their own duties;

d) to promote development of self-consciousness and self activity of the citizens on problems of sanitary-epidemiological prosperity of the population and execution of the sanitary legislation of the Republic of Tajikistan ;

e) the officials and specialists of the State sanitary-epidemiological services for the execution of duties that bear responsibility according to the order established by the legislation of the Republic of Tajikistan .

Article 36. The appeal of actions of the officials and specialist of the State sanitary-epidemiological service of the Republic of Tajikistan

The actions (inactivity) of the main state sanitary doctors, other officials and specialists of the State Sanitary-Epidemiological Service on the prevention, detection, curbing of infringement of sanitary rules can be appealed against within one month to higher arbitrator on subordination to the main state sanitary doctor.

Consideration of the complaints and in accordance with them taking of the decisions are carried out no later than 30 days from the moment of receipt of the complaint. Any disagreement with the accepted decision of action of the officials and specialists can be appealed against in court.

The submission of the complaint does not suspend the appealing action.

Article 37. Legal state and social protection of the officials and specialist of the State sanitary-epidemiological service of the Republic of Tajikistan

1. The main state sanitary doctors, other officials and specialists of the State sanitary-epidemiological services carrying out the state sanitary-epidemiological supervision, are the representatives of bodies of state administration and are under protection of the state.

Within the activity they are independent and are guided only by acting sanitary legislation of the Republic of Tajikistan and use the preference during the allocation of the living accommodation, the installation of

telephones, the granting of vacancies in children's preschool and sanatorium establishments, health services, and at the decisions of other questions of social responsibility and maintenance according to the order stipulated by the legislation.

2. Any influence in any form on the officials and specialists who are carrying out the state sanitary-epidemiological sanitary supervision, creating obstacles to execution by them professional duties, or the intervention to their activity are prohibited.

The officials and separate citizens, admitting the specified actions, are subject to the responsibility according to the order established by the legislation of the Republic of Tajikistan. At execution of the official duties of the officials and the specialists of the State sanitary-epidemiological service use the right of free-of-charge travel, at presentation of the business card, on public transport of urban, suburban and local importance.

Article 38. Interaction of agencies and institutions of the State sanitary-epidemiological service of the Republic of Tajikistan and agencies and institutions of public health services

The agencies and institutions of the State sanitary-epidemiological service and public health services are obliged to carry out within the limits of the competence constant close interaction on protection and strengthening of health of the population, prophylactic maintenance of diseases and maintenance of the sanitary-epidemiological prosperity of the population.

Section VII. INTERNATIONAL AGREEMENTS

Article 39. The international agreements

Any agreement adhered to by the Republic of Tajikistan takes procedure over any domestic legislation of this matter.

Chairman of the Supreme Soviet
of the Republics of Tajikistan E. RAHMONOV

№ 987, July 20, 1994, Dushanbe

DECREE
OF THE SUPREME SOVIET OF THE REPUBLIC OF TAJIKISTAN
ON INTRODUCTION IN ACTION OF THE LAW OF THE REPUBLIC OF
TAJIKISTAN "ON STATE SANITARY SUPERVISION"

The Supreme Soviet of the Republic of Tajikistan **decrees:**

1. To enter into action the Law of the Republic of Tajikistan "On state sanitary supervision" from the date of its publication.
2. To the Government of the Republic of Tajikistan within a two month period to bring in to the Supreme Soviet of the Republic of Tajikistan offers about reduction of the acts in conformity with the Law of the Republic of Tajikistan "On state sanitary supervision".

Chairman of the Supreme Soviet
of the Republic of Tajikistan E. RAHMONOV

№988, July 20, 1994, Dushanbe