

LAW OF THE REPUBLIC OF UZBEKISTAN
ON AMENDMENTS AND AMENDMENTS TO SOME LEGISLATIVE
ACTS OF UZBEKISTAN

(Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 2002, № 9, p. 165)

Oliy Majlis of the Republic of Uzbekistan decides:

make changes and additions to the legislative acts of the Republic of Uzbekistan:

I. In the **Law** of the Republic of Uzbekistan dated 9 December 1992 "On Environmental Protection" (Bulletin of the Supreme Council of the Republic of Uzbekistan, 1993, № 1, p. 38; Bulletin of Oliy Majlis of Uzbekistan, 1995, № 6, Art. 118, 1997, № 4-5, Art. 126; 1999, № 1, p. 20; 2000, № 5-6, v. 153, № 7-8, art. 217):

1) **Article 22** shall read as follows:

"Article 22. Conditions of waste management

Waste management is carried out in the manner prescribed by law.

For environmentally sound waste management are responsible owners of waste. Addressing the placement of waste management facilities in the relevant territory by the bodies of state authority in the field ";

2) Articles 45 and 46 shall read as follows:

"Article 45. Protection of nature from pollution by waste

Prohibited from storage and disposal of waste on land settlements, environmental, health, recreational, historical and cultural destination, within water protection zones and zones of sanitary protection of water bodies, in other places, where there may be a threat to life and health of citizens, as well as specially protected territories and objects.

Disposal of waste in the bowels permitted in exceptional cases as a result of special studies in compliance with the safety of life and health of citizens, environment, conservation of natural resources.

Waste treatment, disposal and storage of waste at landfills are made with the permission of the state bodies for the protection of nature.

Article 46. Environmental Certification

Use of raw materials, technological processes and production of finished products (including food) without environmental or sanitary certificates, as well as deviations from them in certain parameters. Environmental certification is carried out as in the cases provided by law.

The procedure for environmental certification approved by the Cabinet of Ministers of the Republic of Uzbekistan. "

II. [Part eight of Article 9](#) of the Law of May 6, 1994 "On the Legal Protection of Software and Databases" (Bulletin of the Supreme Council of the Republic of Uzbekistan, 1994, № 5, Art. 136; Bulletin of Oliy Majlis of Uzbekistan 2002, № 4-5, art. 74) to read as follows:

"For the performance of legal acts relating to the registration of the computer programs or databases and registration of contracts of transfer of property rights to the use of computer programs and databases, fees are payable. Patent fees paid to the Patent Office. Amount and terms of payment of patent fees, the grounds for exemption from payment thereof, or reduce the size of their return, as well as how to use the patent fees are set by the Cabinet of Ministers of the Republic of Uzbekistan ".

III. From [the eighth section](#) of the Criminal Code, approved by the Law of the Republic of Uzbekistan dated 22 September 1994 (Bulletin of the Supreme Council of the Republic of Uzbekistan, 1995, № 1, p. 3; Bulletin of Oliy Majlis of Uzbekistan, 1996, № 9, p. 144, 1997, № 2, p. 56, № 9, p. 241; 1998, № 5-6, v. 102, № 9, p. 181; 1999, № 1, p. 20 , № 5, v. 124, № 9, p. 229; 2000, № 5-6, Art. 153; 2001, № 1-2, v. 23, № 9-10, Art. 165) the word "significant amount of fraud with buyers or customers - a size range from one to five times the minimum wage," "Large size deceptive buyers or customers - the amount equal to five or more times the minimum wage," "The small size of deceptive buyers or customers - the size range from one-tenth to one minimum wage "shall be deleted.

IV. In [article 345](#) of the Criminal Procedure Code of the Republic of Uzbekistan, approved by the Law of the Republic of Uzbekistan dated 22 September 1994 (Bulletin of the Supreme Council of the Republic of Uzbekistan, 1995, № 2, p. 5; Bulletin of Oliy Majlis of Uzbekistan, 1995, № 12, Art. 269; 1997, № 2, p. 56, № 9, p. 241; 1998, № 5-6, v. 102, № 9, p. 181; 1999, № 1, p. 20, № 5, v. 124, № 9, p. 229; 2000, № 5-6, v. 153, № 7-8, Art. 217; 2001, № 1-2, art. Art. 11, 23, № 9-10, Art. Art. 165, 182):

part of the fifth digit "176-181, 184, 185, 1851, 188-192" shall be deleted;
part six digits after the "167" add numbers "176-181, 184, 185, 1851, 188-192."

V. In [the Code](#) of Administrative Responsibility, approved by the Law of the Republic of Uzbekistan dated 22 September 1994 (Bulletin of the Supreme Council of the Republic of Uzbekistan, 1995, № 3, p. 6; Bulletin of Oliy Majlis of

Uzbekistan, 1995, № 9, v. 193, № 12, p. 269; 1996, № 5-6, v. 69, № 9, Art. 144; 1997, № 2, p. 56, № 4-5, v. 126, number 9, p. 241; 1998, № 3, p. 38, № 5-6, v. 102, № 9, p. 181; 1999, № 1, p. 20, № 5, Art. 124, № 9, p. 229; 2000, № 5-6, v. 153, № 7-8, Art. 217; 2001, № 1-2, v. 23, № 9-10, Article . Art. 165, 182; 2002, № 1, p. 20):

1) from the disposition of **Article 175-4** of the word "(alcohol and tobacco products, as well as other goods listed in the legislation)" shall be deleted;

2) **Article 224** by adding part two to read as follows:

"The assumption of residence of citizens, violating the rules of entry and residence in the border area, as well as in areas where the set time limit entry and residence,

- Punishable by a fine on citizens from three to five, and on officials - from five to ten times the minimum wage ";

3) The **first part of** Article 245 after the numbers "1861" the words "(except for the sale of goods, not marked with excise labels)";

4) Paragraph 4 of the second paragraph of Article 248 after the digits "223" with the words "first part of Article 224";

5) The **first part of** Article 264 after the numbers "1791" with the words "in 1861 (in the case of the sale of goods, not marked with excise labels)";

6) **Article 287:**

in **paragraph 1**, the words "by Article 164" shall be replaced with the words "third paragraph of Article 164," the words "by Article 176" shall be replaced with the words "second and third parts of Article 176";

paragraph 8 to read as follows:

"8) officials of the state tax authorities, the Department for Combating Tax Crimes of the General Prosecutor of the Republic of Uzbekistan and its field offices - in the commission of the offenses referred to in the second and third paragraph of Article 152 (a part of the sale or transfer of a permanent or temporary use of radio electronic facilities or high-frequency devices), the third part of Article 164, Articles 166, 170, second and third parts of Article 176, Article 198 of this Code ";

7) in the **third part** of Article 288 the words "by Article 164" shall be replaced with the words "third paragraph of Article 164";

8) **of the third paragraph** of Article 289 after the words "tax authorities" with the words "Department for Combating Tax Crimes of the General Prosecutor of the Republic of Uzbekistan and its field offices";

9) of the **third paragraph** of Article 290 after the words "customs regulations" the words "or tax legislation";

10) The **first part of** Article 291 amended by adding paragraph "d" as follows:

"E) officials of the Department for Combating Tax Crimes of the General Prosecutor of the Republic of Uzbekistan and its field offices - at the administrative offenses provided for in Articles 164, 166, 167, 168, 172, 173, 176, 1861 of this Code."

VI. The last sentence of the **second paragraph** of Article 153 of the Labour Code, approved by the Law of the Republic of Uzbekistan dated 21 December 1995 (Bulletin of the Oliy Majlis, 1996, an application to the number 1, 1997, № 2, p. 65; 1998, № 5-6, v. 102, № 9, p. 181; 1999, № 1, p. 20, № 5, Art. 112, 124, № 9, p. 229; 2001, № 5, v. 89, № 9-10, Art. 182) to read as follows:

"Do not pay in kind, except in cases established by the Government of the Republic of Uzbekistan".

VII. In **article 7 of 62** of the Civil Code of the Republic of Uzbekistan, approved by the laws of the Republic of Uzbekistan dated 21 December 1995 and 29 August 1996 (Bulletin of Oliy Majlis, 1996, an application to the number 2, № 11-12; 1997, № 2, v. 56, № 9, p. 241; 1998, № 5-6, Art. 102; 1999, № 1, p. 20, № 9, p. 229; 2001, 1-2, v. 23, № 9-10, Art. 182; 2002, № 1, p. 20):

of the **third part of** the word "first" shall be deleted;

Part IV shall read as follows:

"The condition of a bank deposit on the refusal of a citizen of the right to demand deposit upon request, and any other fixed-term deposit - at the end of the fixed period notice is void";

complement **fifth part** as follows:

"If the investor intends to request the return of urgency or other contributions, except demand deposit, before the expiry of either before the other circumstances specified in the contract of bank deposit, he must, not later than one month before the intended date of withdrawal notify the bank of his intention";

of the **fifth** and **sixth**, respectively, considered part of the sixth and seventh;

sixth part to read as follows:

"In case a term or other contribution, except demand deposit is returned to the depositor at his request before the expiry date or until the occurrence of other circumstances specified in the contract of bank deposit, interest is not paid, unless otherwise provided by the contract."

VIII. **The statute of** the State Committee of the Republic of Uzbekistan for Nature Protection, approved by the Oliy Majlis of the Republic of Uzbekistan dated 26 April 1996 (Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 1996, № 5-6, art. 70, 2000, № 5-6 , v. 153, № 7-8, Art. 217; 2002, № 1, p. 22):

1) **paragraph 12** add the following paragraph:

"Gives the conclusion of the transit of dangerous goods within its competence";

2) **subparagraph "b"** of paragraph 13 add the following paragraph:

"The conditions of transit transport of dangerous goods in accordance with their competence."

IX. **Part two** of Article 66 of the Tax Code of the Republic of Uzbekistan, approved by the Law of the Republic of Uzbekistan dated 24 April 1997 (Bulletin of Oliy Majlis, 1997, an application for № 4-5, № 9, p. 241; 1998, № 3, Art. 38, № 5-6, v. 102, № 9, p. 181; 1999, № 1, p. 20, № 5, v. 124, № 9, p. 229; 2000 , № 5-6, Art. 153; 2001, № 1-2, v. 23, № 5, v. 89, № 9-10, Art. 182; 2002, № 1, p. 20) add the words "except as a simplified procedure for collecting customs duties established by the Cabinet of Ministers of the Republic of Uzbekistan for individuals."

X. In the Economic Procedural **Code of** the Republic of Uzbekistan, approved by the Law of the Republic of Uzbekistan dated 30 August 1997 (Bulletin of Oliy Majlis of Uzbekistan, 1997, № 9, p. 234; 1998, № 5-6, Art. 102; 2001 city, № 1-2, art. 11):

1), **paragraph 2** of the first paragraph of Article 17, after the word "prosecutor" the words "clerk of the court";

2) the name and the first part of **Article 18** after the words "expert", "expert" to supplement by the words "clerk of the court", "court clerk";

3) The **first part of** Article 20, after the word "expert" with the words "clerk of the court";

4) The **fifth part of** Article 21, after the word "expert" with the words "clerk of the court";

5) In **paragraph 1** of the first paragraph of Article 82 of the Uzbek text the word "xal qiluv qarori qabul qilgunga qadar" with "qaror qabul qilingunga qadar";

6) in the **fourth part** of Article 87 of the Uzbek text the word "qarori" replaced by "azhrimi";

7) **Article 88**, paragraph 9, supplemented as follows:

"9) The plaintiff in whose interests the prosecutor sued, refused the claim";

8) Paragraph 3 of the second paragraph of Article 126 after the word "expert" with the words "clerk of the court";

9) Paragraph 2 of the second paragraph of Article 134 after the words "the Court" the words "clerk of the court";

10) of the third paragraph of Article 138 shall read as follows:

"In the introductory part of the decision shall include the name of the economic court that made the decision, the composition of the court clerk of the court, the case number, date and place of the proceedings, the name of the persons involved in the case, the subject of the dispute, the names of those present at the meeting of persons indicating their powers";

11) in the fifth part of Article 149 the word "appeal" with the words "appealed (challenged)";

12) in Article 150:

the first part after the words "shall be entitled to a person involved in the case" the words "or bailiff";

in the third part of the word "appeal" with the words "appealed (challenged)";

13) Paragraph 1 of the second paragraph of Article 151 after the words "the Court" the words "clerk of the court";

14) in the title and text of Article 156 of the word "appeal", "complaint" shall be replaced by the words "appeal (protest)", "the complaint (protest)";

15) in the title and text of articles 157 and 158 of the word "complaint", "complaint", "complaint" shall be replaced by the words "a complaint (protest)", "the complaint (protest)", "the complaint (protest)";

16) Article 159 shall read as follows:

"Article 159. The content of the appeal (protest)

The appeal (protest) must be specified:

1) the name of the economic court, which is addressed to the complaint (protest);

2) the name of the person filing the complaint (protest);

3) the name of the economic court that made the decision to which the complaint (protest), the case number and date of decision, the subject of the dispute;

4) the requirements of the person filing the complaint (protest), and the grounds on which the person considers the decision wrong, referring to the acts of legislation and case materials;

5) a list attached to the complaint (protest) documents.

The appeal signed by the complainant or his representative, and the appeal is - the prosecutor. The complaint, signed by a representative, the power of attorney confirming his authority to appeal against judicial acts, if it had not been presented in the case.

The complaint (protest) attached evidence directions copies of the complaint (protest) to other persons involved in the case. In addition, the complaint also attached proof of payment of the state fee ";

17) in the title and text of [Article 160](#), the name and the first part of [Article 161](#) of the word "complaint", "complaint" shall be replaced by the words "appeal (protest)", "the complaint (protest)";

18) [Article 162](#) shall read as follows:

"Article 162. The Return of the appeal (protest)

The appeal (protest) is returned by the judge if:

1) appeal (protest) is not signed or signed by a person not entitled to sign it, or by a person whose official status is not specified;

2) to appeal (protest) is not accompanied by proof of sending her copies of the persons involved in the case;

3) to appeal is not accompanied by proof of payment of the state fee in the prescribed manner and amount as in cases where the law provides for the possibility of deferral of payment of the state fee, no application for this or a petition has been rejected;

4) appeal (protest) filed after the deadline and does not contain a request for reinstatement of the period;

5) to the direction of the persons involved in the case, the definition of acceptance of the appeal (protest) to the production of the complainant (protest) has received an application for her return.

On the return of the appeal (protest) a decision is made.

The determination of the return of the appeal (protest) can be appealed against (protest).

After elimination of the circumstances referred to in paragraphs 1, 2 and 3 of this Article, a person who has filed a complaint (protest) shall be entitled to re-apply to the economic court with the appeal complaint (protest) in the general order ";

19) in the title and text of [article 163](#), the word "complaint" with the words "appeal (protest)";

20) **Article 165**:

name in the following wording:

"Article 165. Rejection of the appeal. Reviewed protest ";

supplemented by **part three** of the following content:

"The prosecutor who brought the protest, as well as the superior prosecutor may withdraw the protest before the trial. On withdrawal of the protest shall be notified persons involved in the case ";

of the **third** and **the fourth** shall be considered as parts of the fourth and fifth; in **the fourth part** of the word "non-complaint" with the words "rejection of the complaint or the withdrawal of a protest";

21) in **the second part** of Article 166, the name and the text of **Article 167** and **paragraph 1** of Article 168 the word "complaint", "complaint", "complaint" shall be replaced by the words "appeal (protest)", "the complaint (protest)", "complaint (protest)";

22) in **Article 171** :

in **the first part** of the word "complaint" with the words "appeal (protest)"; **paragraph 1** of the second part, after the words "of the court which has made the decision" the words "clerk of the court";

in paragraphs 2, 5 and 9 **of the second part** of the word "complaint", "complaint" shall be replaced by the words "appeal (protest)", "complaint (protest)";

in **the fifth part** of the word "challenged" with the words "appealed (protested)";

23) in **Article 172**:

in the name of the word "complaint" with the words "complaints (protests)"; in **the first part** of the word "challenged" with the words "appealed (protested)";

in **the second part** of the word "complaint", "complaints" shall be replaced by the words "complaints (protests)," "complaints (protests)";

24) the second sentence **of the first part** of Article 197 shall read as follows:

"The application for a protest on an inured decision, the decision of the Economic Court may be filed after the proceedings in the court of appeal or court of cassation,";

25) in **the fourth part** of Article 215, **the third part** of Article 216, **Paragraph five** of Article 217 of the word "challenged" with the words "appealed (protested)";

26) in the parts of **the first** and **second** article 218 the words "writ of

execution", "in the writ" shall be replaced by the words "judicial act (writ of execution)," "in the judicial act (writ of execution)."

XI. The **Law of** the Republic of Uzbekistan dated December 26, 1997 "On mass media" (Bulletin of Oliy Majlis of Uzbekistan, 1998, № 1, Art. 10):

1) supplemented with **Article 4-1** as follows:

"Article 4-1. The inadmissibility of monopolization

The monopolization and unfair competition in the sphere of production and distribution of media is not permitted.

No legal or natural person has no right to be a founder (co-founder) and (or) to have ownership, possession, use, disposal, management or control (directly or through affiliated entities) more than twenty-five per cent of the media produced respectively at the central or the local media market ";

2) Article 6 supplemented **by part four of** the following content:

"For violation of the requirements of this Article responsible person, including the editor (editor in chief), journalist and other persons prosecuted in accordance with the law";

3) Article 11, supplemented by parts of **the third** and **fourth** as follows:

"It may not be the founders:

persons who have not attained the age of eighteen years;

persons having a criminal record for committing an intentional crime or unfit to plead;

associations whose activities are prohibited by law.

Not allowed the creation of media entities in the authorized capital of which the share of foreign investment is more than thirty percent ";

4) to add articles **11-1, 11-2, 11-3** and **11-4** as follows:

"Article 11-1. constituent documents

The founding documents of the media are the Memorandum of Association and Articles of Association (the situation).

In the memorandum concluded between several founders, describes how:

on the name of the founders;

as being founded on the media, subject matter and purpose of its activities, periodicity;

the name, postal address to establish mass media;

the size of the statutory fund of the media, sources of funding and the manner of its formation;

the rights and obligations of the founders for their participation in media

activities;

management of the order the media;

on the distribution of profits;

to reorganize the order of liquidation (winding-up) media;

other conditions in accordance with the law.

If the founder is one person, it is the registering body's charter.

Article 11-2. The contract between the founder and editorial staff

The founder and the editors conclude an agreement on mutual rights and obligations, responsibilities, procedures disputes and other circumstances permit, as well as their relationships with third parties.

Article 11-3. The rights and duties of the founder

The founder has the right to:

to participate in managing the affairs of the media within the powers defined by the memorandum of association, articles of association (regulations) and the legislation, as well as the contract between him and the editorial board;

to participate in the distribution of profits and losses in accordance with the Introduction of a property contribution;

transfer media outlet as a property complex in trust to another person (the trustee), which should be controlled in the interests of the founder or of a third party to them indicated in accordance with the law;

appoint and dismiss the editor (editor in chief), the media and members of the editorial board;

Free to post a message on its own behalf or material non-promotional nature, the maximum amount and period of publication of which is defined in the statute (regulations) or memorandum of association;

receive in the event of liquidation or termination of activity of mass media of the assets remaining after settlement with creditors, or its value in accordance with the Introduction of a property contribution in the manner prescribed by law.

The founder is obliged to:

approve the charter (regulations) media;

conclude an agreement with the editors of the media;

ensure control over observance of the legislation on mass media.

The founder may not engage in censorship, conduct peer review or to interfere with the creative activity of the editorial board, as well as in the production and dissemination of media except for cases stipulated by the constituent contract or the charter (regulations).

The founder may have other rights and perform other duties in accordance with the law.

Article 11-4. The termination of rights and obligations of the founder

The rights and duties of the founder cease:

alienation of the media in favor of a third party;

bankruptcy or liquidation of the founder - legal entity;

loss of citizenship of the Republic of Uzbekistan;

conviction by a court sentence for committing an intentional crime;

of death.

The rights and duties of the founder may be terminated and otherwise in accordance with the law ";

5) in [Article 12](#) :

[Part Two](#) of the following sentence: "The application shall founding documents";

in [the fourth part of](#) the word "three" shall be replaced by the word "six";

6) [of the first](#) article 16 to replace the first and second parts as follows:

"The termination (or suspension) of production or publication media possible by the decision of the founder or court.

In the case of systematic non-compliance with the media about the media law, the authority may apply to the court for liquidation (termination of activity) of the mass media ";

the second part shall be considered as part of the third;

7) in [Article 17](#) :

from here the words "or a decision on the termination of its activities" shall be deleted;

from the text of the words "as well as the decision to terminate the activities of the media" shall be deleted.

. The XII [Article 109](#) of the Customs Code of the Republic of Uzbekistan, approved by the Law of the Republic of Uzbekistan dated 26 December 1997 (Bulletin of Oliy Majlis of Uzbekistan, 1998, № 2, Article 36,. 1999, number 9, Article 229;. 2001 , number 1-2, Article 23, 2002, № 1, Article 20), supplemented by the third part of the following content..:

"The Cabinet of Ministers may establish a simplified procedure for collection of customs duties, providing for payment of the uniform customs payment in return of value added tax, customs duties and charges on goods imported by individuals."

XIII. From [paragraph XVIII](#) of the first part of Article 5 of the Law of 15 December 2000 "On State Inventory" (Bulletin of Oliy Majlis of Uzbekistan, 2001, number 1-2, art. 19), the words "production and consumption" shall be deleted.

XIV. In [Article 17 of the](#) Law of the Republic of Uzbekistan dated May 12, 2001 "On the Legal Protection of Topographies of Integrated Circuits" (Bulletin of Oliy Majlis of Uzbekistan, 2001, № 5, Article 87.)

the second sentence [of the first part](#) of the word "to cover the costs of implementing the functions provided by this Law" shall be deleted;

[the second part](#) in the following wording:

"The size and terms of payment of patent fees, the grounds for exemption from their payment, or reduce the size of their return, as well as the procedure for the use of patent fees shall be determined by the Cabinet of Ministers of the Republic of Uzbekistan".

XV. In [article 33](#) of the Law of 30 August 2001 "On Trademarks, Service Marks and Appellations of Origin" (Bulletin of Oliy Majlis of Uzbekistan, 2001, number 9-10, Article 178.):

the second sentence [of the first part](#) of the word "to cover the costs of implementing the functions provided by this Law" shall be deleted;

[the second part](#) in the following wording:

"The size and terms of payment of patent fees, the grounds for exemption from their payment, or reduce the size of their return, as well as the procedure for the use of patent fees shall be determined by the Cabinet of Ministers of the Republic of Uzbekistan".

President of Uzbekistan Islam Karimov

Tashkent,

August 30, 2002,

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