

THE LAW OF THE REPUBLIC OF TAJIKISTAN
On Pedigree Business in Stock-Breeding

The present Law determines the common legal, economic relations and organizational bases of pedigree business in stock-breeding on the territory of the Republic of Tajikistan.

Article 1. Pedigree business

Pedigree business is a system of measures directed at preservation and improvement of desirable hereditary qualities of the animals and their rational use exploitation for production.

Pedigree activity in stockbreeding is carried out by the state pedigree service.

Article 2. The subjects of pedigree business

The subjects of pedigree business are:

- State pedigree factories;
- Enterprises on pedigree business;
- Stations of artificial insemination;
- Associations, societies and other unions of enterprises and citizens in the sphere of pedigree business;
- Other juridical and physical persons - owners of pedigree production.

Between a state pedigree plant, an enterprise, a station on artificial insemination unconditional execution of mutual obligations on breeding, sale, transfer for use pedigree young animals of the corresponding, qualities and indications of own productivity and parents is established.

Article 3. The legislation about pedigree business

Pedigree legislation of the Republic of Tajikistan consists of the present Law, decrees and decisions of the President of the Republic of Tajikistan, the regulations of the state pedigree service, decisions of the Government of the Republic of Tajikistan and normative acts of bodies of the state pedigree service attached to Ministry of Agriculture. The above-mentioned acts are compulsory for execution by the owners of pedigree business, irrespective of their departmental subordination and forms of ownership. (Law from 01.02.96, № 223).

Article 4. The basic tasks of the state pedigree service

The basic tasks of the state pedigree are:

Maintenance of legal protection of process, objects and subjects of pedigree business directed at receipt of highly productive animals and creation of new breeds;

Rational use of pedigree resources, perfection and qualitative transformation of available in the Republic gene-fund of breeds of pedigree agricultural animals, bred in the Republic. They are its national property;

Maintenance of export of pedigree production to the world market;

Improvement of profitability and competitiveness of pedigree stockbreeding under the conditions of market relations;

Wide inculcation of major scientific and technical elaboration in the sphere of pedigree stockbreeding.

Article 5. State pedigree service

Organization and surveillance the conduct of pedigree business in stockbreeding are carried out by the state pedigree service, headed by the State Pedigree Inspection which attached to the Ministry of Agriculture, but in Mountain-Badakhshan autonomous region, regions, cities and districts - pedigree service attached to corresponding local authority (Hukumats). (Law from 01.02.96, №223)

Article 6. Duties of the state pedigree service

1. State pedigree service:

- Organizes elaboration and implementation of programs on breeding of agricultural animals, protection and perfection of their strain and economically-useful signs;

- Maintenance elaboration, independent examination and assertion of normative documentation of conduct of pedigree business, regulating unified methods, ways and manners of evaluation, identification and registration of pedigree material, rules of conduct of State Registers of pedigree animals, registration of licenses and certificates, information provision, terms of admission for use of producers and requirements to selection and biotechnological methods;

- Establishes the list of biological species and breeds, specimens of that are used as pedigree agricultural animals, as well as a register, after

immunity-genetic examination of producers accepted of the artificial insemination of animal;

- Carries out international cooperation in the sphere of pedigree business in stock-breeding, substantiates and regulates export and import of the pedigree material, special equipment and appliances for pedigree business;

- Collects payments compensating the charges on registration of certificates, licenses, conduct and edition of the state books (registers) of pedigree animals, information provision and realization of others legally significant actions connected with pedigree business;

- Realizes the regulation of mutual relation between subjects of pedigree business.

Article 7. The rights of state pedigree service

1. The chiefs of the state pedigree service attached to Ministry of Agriculture of the Republic of Tajikistan, heads of the state pedigree service of Mountain-Badakhshan autonomous region, of regions, cities and districts at the same time are state inspectors on pedigree business in stock-breeding of the corresponding local bodies of the executive authority (Hukumats). (Law from 01.02.96, №223)

State inspectors on pedigree business are authorized to realization inspection on the execution of the legislation on pedigree business in stock-breeding by bodies of state and economic management, enterprises, institutions, associations, societies, unification, organizations of any organizationally-legal forms.

The state inspectors on pedigree business in stockbreeding have the right:

- To visit unimpeded freely pedigree business enterprises and receive from them all the information within their competence;

- To give orders to subjects of pedigree business about elimination of revealed violation of legislation on pedigree business in stock-breeding;

- To stop the realization of pedigree material from enterprises of pedigree business, if violations in the conduct of pedigree registration and production technology are revealed in them;

- To introduce restrictions on export from the Republic of Tajikistan, especially of valuable pedigree production;

- To realize inspections on the use of new technological methods, tools, equipment, materials, biotechnological methods in pedigree stock-

breeding;

- Deprive pedigree business enterprises of the license, and specialists of certificates in case of violation of norms of conduct of pedigree business;
- Not to accept for use producers and their seeds, which do not answer the quality of established requirements.

2. The order of organization of the activity of the state pedigree service is defined by Regulations authorized by the Government of the Republic of Tajikistan. State pedigree service can transfer parts of its functions, which are not connected, with the realization of state inspections, to other organizations, in a similar line of pedigree business.

Article 8. Responsibility for violation of norms of conduct of the pedigree business in stock-breeding

The persons, guilty of violations of norms of conduct of the pedigree business in stockbreeding, are subject to administrative and criminal responsibility for:

- Sale, transfer, use of production which has not certificates, as pedigree material;
- Use for reproduction of specimens of unknown origin;
- Non-observance of the normative acts during sale of the pedigree material and definition of pedigree value of the producers;
- Destruction and loss of pedigree animals without valid excuses, their falling ill through infectious illnesses due to irregular conduct of prophylactic and medical measures;
- Infringement of rules of registration keeping of pedigree animals and forging of facts about pedigree material;
- Cause of material damage to enterprises because of the use of unapproved technologies of animal reproduction.

Article 9. Entrepreneurial activity in pedigree business

The entrepreneurial activity in pedigree business is determined according to the Law of the Republic of Tajikistan "On entrepreneurial activity in the Republic of Tajikistan".

Article 10. Legal position of specialists in the enterprises on pedigree business

1. The right to conduct natural selection work at the enterprises on pedigree business (planning of genetic perfection of the flock, evaluation of productivity and passage, selection, selection of animals and other pedigree material) is given to specialists (selectionists), having the license. The right to conduct selection work with a flock of animals is subject to the contract basis between mentioned specialists and the subjects of the pedigree business after appropriate registration of contracts by the state pedigree service according to the conformed plans of selection-pedigree work.

2. Activity of specialists of enterprises on pedigree business, irrespective of their legal form, on the problems of animal selection exceptionally is under control of the state pedigree service.

3. State pedigree service of the enterprise on pedigree business and unions of pedigree enterprises, encourage the specialists for work on creation of highly productive flock, receipt of the especially valuable pedigree material, animal breeding with the adequate record productivity.

Article 11. State support of the pedigree business

1. The republican budget of the Republic of Tajikistan with finances expenses of the elaboration and realization of the Republican programs of genetic improvement and breed of new strains, provide of agricultural animals, create regional and district information systems, registration and control of productivity of the animals, and the publication of the normative documentation on pedigree business and keeping of state books (registers) of the pedigree animals.

2. Withdrawal of agricultural area from enterprises on pedigree business and division of total number of pedigree animals in them is prohibited.

3. The import of pedigree material, specific goods, works and services for pedigree business is carried out according to licenses of the State pedigree service of the Republic of Tajikistan and would be released from the payment of customs duties, payment for customs procedures and other dues.

Article 12. Scientific maintenance of the pedigree business

Scientific maintenance of the pedigree business in stockbreeding is carried out by Tajik Scientific Research Institute of Stockbreeding of the Academy of Agricultural Sciences of the Republic of Tajikistan.

Chairman of the Supreme Soviet
of the Republics of Tajikistan

E. RAHMONOV

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