

GOVERNMENT OF THE REPUBLIC OF TAJIKISTANS

DECREE

“ON APPROVAL OF REGULATION ON PROCEDURE AND ISSUANCE OF
CERTIFICATES FOR RIGHT OF LAND USE AND ENTITLEMENT TO LAND SHARE, AND
THEIR COST”

September 4, 1999, No. 389, Dushanbe

Government of the Republic of Tajikistan hereby resolves:

1. To approve Regulation on procedure and issuance of Certificates for the right of land use and Entitlement to land share and the final pay of their actual cost according to Attachments 1, 2, 3 and 4. (GDRT No.600 as of 30.12.01.)
2. That the Ministry of Finance of the Republic of Tajikistan, Committee for Land Resources and Land Tenure under the Government of the Republic of Tajikistan should adjust indexation of value of Certificates for the right of land use and Entitlement to land share.
3. To change the State acts for the right of land use given earlier to land users of the Republic of Tajikistan with Certificates for the right of land use before December 31, 2001.

Chairman

Government of the Republics of Tajikistan E.Rahmonov

Approved
Decree of the Government
Republic of Tajikistan
September 4, 1999, No.389

REGUULATION
ON PROCEDURE AND ISSUANCE OF CERTIFICATES FOR THE RIGHT OF LAND
USE AND ENTITLEMENT TO LAND SHARE

The present provision is developed according to Decree of the Government of the Republic of Tajikistan No.44 as of July 27, "On measures to implement the Decree of the President of the Republic of Tajikistan 'On realization of the right of land use'". The Regulation establishes the procedure of registration and issuance (change) of Certificates for the right of land use and entitlement to land share.

1. According to Article 17 of the Land Code of the Republic of Tajikistan and Decree of the President of the Republic of Tajikistan No.1021 as of June 22, 1998 "On realization of land use", the documents certifying the right of land use are the Certificate for the right of land use and Entitlement to land share.

A uniform for the Republic of Tajikistan form of the Certificate for the right of land use and Entitlement to land share is approved by Decree of the Government of the Republic of Tajikistan No.244 as of July 27, 1998 "On measures to implement the Decree of the President of the Republic of Tajikistan 'On realization of the right of land use'".

2. According to Article 6 of the Land Code of the Republic of Tajikistan the Certificate for the right of land use is issued by the Committee for Land Resources and Land Tenure under the Government of the Republic of Tajikistan.

3. The Certificate for the right of land use and Entitlement to land share shall be made in two copies in the state language and are uniform. One copy is issued to the land user and the other is kept in the Committee for Land Resources and Land Tenure of the rayon (city). The Certificate blank for the right of land use is made of stamp paper. The Entitlement to land share - on usual paper of 150 and 210 mm.

The Certificate for the right of land use issued the land user has cardboard, covered with leatherette cover of dark blue color with a stamping of the State Emblem of the Republic of Tajikistan and the text "Certificate for the right of land use."

4. Before issuance of the Certificate for the right of land use to the land user, the document available at him for the right of land use (the State act for the right of perpetual, limited or long life inherited land use) within a defined term should be valid.

5. On the basis of the decree of the Government of the Republic of Tajikistan and decision of the local government (khukumat) the Committee for Land Resources and Land Tenure under the Government of the Republic of Tajikistan shall register the Certificate for the right of land use.

6. The Certificates for the right of land use shall be drawn up in accordance with the projects of inter-farm land tenure (land tenure materials on allocation of the land plots for definite purposes), approved by the government of the Republic of Tajikistan, appropriate local governments "Khukumats) in the established procedure. Scheduling borders of land use to be the basis for registration of the Certificate for the right of land use should be preceded to filling in the certificates.

7. The Certificate for the right of land use shall be issued by proxy to the managers of enterprises, organizations and establishments, and also to citizens - by the Committee for Land

Resources and Land Tenure under the Government of the Republic of Tajikistan. The manager of the enterprise, organization, establishments or the citizen shall undersign for receiving the Certificate for the right of land use in the Book of records of the documents certifying the right of land use.

8. If after issuance of the Certificate for the right of land use there are changes, the Certificates for the right of land pursuant to the Decree (decision) of the local government (khukumat) shall be drawn up anew according to the procedure defined by the Land Code of the Republic of Tajikistan.

9. At delivery to the land user of the Certificate for the right of land use, the document available at him for the right of land shall be given to the regional (city) committee for land resources and land tenure, about what a record is made in the Book of records of the documents certifying the right of land use. In case of the cease of the right of land use the Certificate for the right of land use shall be given as well to the regional (city) Committee for land resources and land tenure.

10. The final pay of actual cost of manufacturing, registration, issuance and state registration of Certificates for the right of land use and Entitlement to land share shall be approved by the Government of the Republic of Tajikistan on presentation of the Committee for land resources and land tenure under the Government of the Republic of Tajikistan.

11. The funds from realization of Certificates for the right of land use and Entitlement to land share shall be used on a special-purpose designation – for obtaining new Certificates for the right of land use and Entitlement to land share.

12. The documents certifying the right of land use, but invalid, shall be given to regional (city) committees for land resources and land tenure in the Committee for land resources and land tenure under the Government of the Republic of Tajikistan to transfer them to the state archive of the Republic of Tajikistan.

Appendix No.1
to Decree of the Government
of the Republic of Tajikistan
as of March 31, 2001, No.130

DEFINITION OF COST FOR REGISTRATION OF THE CERTIFICATE
FOR the RIGHT of LAND USE

Filling in the Certificate for the right of land use (basis "Basic prices of work on land tenure and land cadastre", developed and approved by the Ministry of Agriculture and Foodstuffs of the USSR on November 19, 1991).

Drawing works

1. Filling in the Certificate $0,091 \times 0,5 \times 80 = 3,64$

Number of marked points.

БЦ. Table 3.19 No.3.4.2.2

K - 0,5 incompleteness of work

K - 80,0 raising coefficient

2. Examination $3,64 \times 0,3 = 1,09$

TST (typical standards of time) general part of Point 24 30 of % of Point 1 of the estimate

3. Organizational and liquidating work. $4,73 \times 0,06 = 0,28$

БЦ. General part of Point 23

Table 4. - 6 %

4. Cost of the work connected with drawing up, registration and keeping of the land tenure materials.

Manager - 10 %-1 - 16,2 somoni - 1,62

Chief expert - 35 %-1 - 13.2 somoni - 4,62

Expert - 55 %-1 - 12,2 somoni - 6,71

Total - 100% - 12,95

TOTAL on Points 1,2,3,4 - 17,96

VAT - 20 % of total amount - 3,59

In total - 21,55

The certificate for the right of land use - in view of change of prices - 42.3

to realize indexation of cost of the Certificate

Cost of 18 US dollars

(1 dollar = 2,35 somoni)

In total estimate - 63,85

Sixty three somoni eighty five diram

Appendix No.2
to the decree of the Government
of the Republic of Tajikistan
as of March 31, 2001, No. 130

DEFINITION OF THE COST FOR REGISTRATION
OF THE ENTITLEMENT TO LAND SHARE

Filling in the Certificate for the right of land (basis “Basic prices of work on land tenure and land cadastre” developed and approved by the Ministry of Agriculture and Foodstuffs of the USSR on November 19, 1991).

Drawing works

1. Filling the Certificate $0,091 \times 0,1 \times 80 = 0,73$

БҶ. tables 3.19 No. 3.4.2.2

K - 0,10 coefficient of incomplete work

K - 80,0 raising coefficient

2. Examination $0,73 \times 0,3 = 0,22$

TST (typical standards of time) general part of Point 24 30 % of Point 1 of the estimate

3. Organizational and liquidating work. $0,95 \times 0,05 = 0,06$

БҶ. General part of Point 23

Table 4. - 6 % of Point 1 and Point 2 of the estimate

4. Cost of manufacturing of the Entitlement to land share

(7,5 diram $\times 2 = 15,0$ diram) - 0,15

TOTAL - 1,16

VAT - 20 % of total sum - 0,20

In total of the estimate - 1,36

One somoni thirty six diram

(GDRT as of 31.03.2001, No.130)

**COST OF REGISTRATION,
 ISSUANCE AND COST OF THE CERTIFICATE FOR THE RIGHT of LAND USE FOR
 DEKHKAN FARMS CREATED AFTER REFORMING OF AGRICULTURAL
 ORGANIZATIONS AND ENTERPRISES**

Filling in the Certificate for the right of land use (basis “Basic prices of work on land tenure and land cadastre”, developed and approved by the Ministry of Agriculture and Foodstuffs of the USSR on November 19, 1991).

Drawing works

1. Filling the Certificate 0,091 X 0,3 X 80 = 2,18

Number of marked points.

БЦ. tables.3.19 No.3.4.2.2

K - 0,3 incompleteness of works

K - 80,0 raising coefficient

2. Examination 2.18 X 0,3 = 0,65

ТНВ (typical standards of time)

общ. A part of item(point) 24

30 % of Point 1 of the estimate

3. Organizational and liquidating work. 2,83 X 0,06 = 0,17

БЦ. General part of Point) 23

table 4. - 6 %

4. Cost of the work on drawing up, registration and keeping land tenure materials.

Manager	- 10 % - 1 - 16,2 somoni	-1,62
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Chief expert	- 35 % - 1 - 13,2 somoni	- 4,62
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Expert	- 55 % - 1 - 12,2 somoni	- 6,71
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Total	- 100 %	- 12,95
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5. Services on transportation, customs expenses for one Certificate - 3,9

TOTAL	Points 1.2.3.4.5.	- 19,85
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The VAT	- 20 % of total sum	- 3,97
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In total		- 23,82
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The certificate for the right of land use - in view of change of the prices - 14,94

to realize indexation of the cost of the Certificate

Cost of 6 US dollars

(1 dollar = 2,49 somoni)

In total of the estimate		- 38,76
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Thirty eight seventy six diram

Appendix No.4
to the decree of the Government
the Republics of Tajikistan
as of December 30, 2001, No.600

COST of REGISTRATION,
ISSUANCE AND COST OF THE ENTITLEMENT TO LAND SHARE FOR DEKHKAN
FARMS CREATED AFTER REFORMING OF AGRICULTURAL ORGANIZATIONS AND
ENTERPRISES

Filling of the Certificate for the right of land (basis “Basic prices of work on land tenure and land cadastre”, developed and approved by the Ministry of Agriculture and Foodstuffs of the USSR on November 19, 1991).

Drawing works		
1. Filling the Certificate	$0,091 \times 0,08 \times 80 = 0,58$	
БII. Tables .3.19No.3.4.2.2		
K - 0,08 coefficient of incompleteness of work		
K - 80,0 raising coefficient		
2. Examination	$0,58 \times 0,3 = 0,17$	
TST (typical standards of time)		
General part of Point 24		
30 % of Point 1 of the estimate		
3. Organizational and liquidating work	$0,75 \times 0,05 = 0,04$	
БII. General part of Point 23		
Table 4. - 6 % of Point 1 and Point 2 of the estimate		
4. Cost of manufacturing of the Entitlement to land share - 10 diram		- 0,10
TOTAL	- 0,89	
VAT	- 20 % of total sum	- 0,18
In total of the estimate		- 1,07
One somoni seven diram		