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#16 dated March 1, 2004

THE LAW OF THE KYRGYZ REPUBLIC

On administrative procedures

On the arrangements on realization of the Law see Decree of the Government of KR dated May 27, 2004 #392

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The law settles procedures contributing to organizational enhancement of managerial activity of administrative agencies and respect of the rights and liberties of citizens, individual entrepreneurs and legal entities, protection of personal, public and state interests.

Chapter I General provisions

Article 1. General notions used in the Law

1. For the purpose of the Law there are used the following notions:
 - administrative procedures - settled regulation norms, specifying bases, provisions, consecutions and rules of reading and administrative case's resolution that include the following:
 - rules of adoption and implementation by the administrative agencies of Decrees on execution of administrative functions and warrants;
 - work organizational rules of administrative agencies;
 - rules of administrative reading of the citizens, individual entrepreneurs and legal entities address on realization or protection of their rights and interests;
 - administrative agency - agency of a state executive power, executive agency of local selfgovernment, and empowered and specially established agency endued the right permanently and temporarily read and dispose administrative cases within the Law;
 - official - citizen, empowered the right to read and dispose administrative cases on behalf of administrative agency personally;
 - privy - citizen, individual entrepreneur or legal entity, taking part in relationships regulated by the Law with purpose to gain, assure, register or retain some warrants;
 - privy appeal - claim or complaint of a citizen, individual entrepreneur, legal entity taking part in relationships regulated by the Law;
 - session participants - privy, administrative body representative, and experts, witness, translators and others who assist in right reading and disposition of administrative cases;
 - administrative case - documents and materials body, recording the process of preparation, reading and Decree reception on the endowment, warranty, registration or suspension (dismissal) of privy warrants;
 - administrative session - procedure form within investigation and dispose of administrative case is going by the collective body or official.
2. Other institutions, meanings and terminologies of the legislation on organization of the state power in

the Kyrgyz Republic, civil, civil procedures, arbitrate procedures, tax and other branches of the legislation of the Kyrgyz Republic used in the Law adjusted to the meanings as it is adjusted in that branches of the legislation.

Article 2. Relations regulated by the Law

1. The Law regulates relations on investigation and disposition of the administrative agency of the cases on the endowment, warranty, registration or suspension (dismissal) of privy warrants (administrative cases) in the following areas:

- a) registration of privy;
- b) registration of the rights to property and dealings with it;
- c) licensing of individual types of activities;
- d) permissions issuing on the execution of individual types of works (services), on the maintenance of objects and equipment, and decision-making of other managerial decisions on the issues concerning investment and entrepreneurship activity;
- e) technical regulation of investment and entrepreneurship activity;
- f) provision of ground area, entrails areas, forest areas, water areas, and caption of these areas and objects from the owner or another legal owner;
- g) provision to privy credits, loans, grants, indemnities, financial supports and welfares, investments, quota, warranties, benefits and privileges at the expense of republican budget;
- h) state property and property rights management;
- i) provision to privy quarters and non-residential premises in the buildings of state fund and use of these premises;
- j) setting and payment of state pensions, allowances
- k) acknowledgement of privy status that provides reasons for benefits and privileges
- l) official documents issuing that have legal meaning
- m) endowment, warranty, registration or suspension (dismissal) of privy other warrants

2. Force of the Law is not applied to the relations in the following areas:

- a) preparation and adoption of normative legal acts;
- b) procedures on the cases concerning administrative offences, crime, civil, arbitrate and constitutional legal proceedings;
- c) civil service or labor relations
- d) execution of court decisions
- e) decision pronouncement on the issues concerning military service and discipline except issues concerning constitutional rights and liberties of the citizens;
- f) execution of international agreements and contracts and realization of foreign policy;
- g) preparation and management decision making by the subjects that come under the definition of administrative body.

Article 3. Principles of administrative procedures settings

Envisaged by the Law administrative procedures base on the following basic principles:

1. Privy has the right to address to the administrative body for decision making of the issues that are within the competences of the body and directly concerning rights and legal interests of the person.

Administrative body should consider the address on the issue that is within the competence and pronounce corresponding judgment based on priority of right, liberty and interests of citizens, individual entrepreneurs and legal entities.

2. Administrative body should follow the Constitution of the Kyrgyz Republic, laws and other normative legal acts and do not commit unlawful acts.

Adoption of the acts by the administrative body and any affirmative (negative) performance that limits constitutional rights and liberties should base on the Constitution of the Kyrgyz Republic or definite law.

Adopted act and any affirmative (negative) performance, committed by the administrative body with abuse of power considered as invalid.

Officials and members of the agency, empowered to review and make a decision on administrative cases are responsible in accordance with the legislature for wrong execution of their functional duties and abuse of power.

3. Investigation and disposal of administrative cases are carried out on the principles of equality to the Law:

- of legal entities independently of organizational legal form, location, subordination and pattern of

ownership;

- of citizens and individual entrepreneurs independently of sex, race, nationality, language, origin, property and position status, place of residence, religion, beliefs, membership in associations and other circumstances.

It is prohibited to limit or interfere in realization of rights, liberties and interests of any side of administrative investigation and privileged treatment or discrimination of any side by breaking the Law.

In the case of identical circumstances on different cases, the pronounced judgments should be identical except cases where there are legal grounds for pronouncing another judgment.

4. Investigation and disposal of administrative cases are open. Investigation and disposal of administrative cases may be closed only:

- in the case if it is envisaged by the Law on State secret;
- in the case of satisfaction of privy petition pleading on the necessity of ensuring the secret of adoption of a baby, commercial, banking, notarial, advocate or any other registered privacy;
- in the case of satisfaction of privy petition pleading on the necessity of ensuring private life immunity or any other circumstances envisaged by Laws.

On the disposal of administrative case in closed regime indicated in the administrative case resolution. Closed administrative case is investigated and disposed by the following of all the requirements envisaged by the Law.

During the review of administrative case there is directly investigated all the evidences necessary for its disposal.

Administrative agencies should execute their rights impartially.

Officials and members of the agency, empowered to dispose and investigate administrative cases, can not take part in administrative investigation if there are any personal interests or any other circumstances that may influence on the process of decision making.

6. Record keeping on administrative cases keeps on state and official languages. Record keeping on administrative cases also may keep on other languages of the people on the territories of their compact residence.

Privy who doesn't know the language of record keeping on the administrative case there should be ensured explanations and the rights to get known with all the materials, give explanations, speak and declare petitions, appeal on the native language or any other chosen language of communication and use translator services.

If petition or any other document submitted by the privy is written not on the state or official language, the side should submit notarized translation of such documents in time settled by the administrative agency.

7. It is not allowed transference of state rights on investigation and disposal of administrative cases fully or partially to the commercial and non-commercial organizations. In the cases, envisaged by the laws, such rights may be transferred to the competent state agencies.

8. Unity of requirements of administrative procedures for administrative agencies of all the levels. Clear differentiation of powers and competencies of administrative agencies. Subordination of subordinate administrative agencies to higher organs.

9. Mutual responsibility and balance of interests of individual, society and state. Economy and effectiveness of administrative procedures.

Administrative organs should not issue acts if caused by the acts damages to the legal rights and individuals are exceeding advantages that the acts bring.

10. Individuals participating in administrative investigation have not right to share or use for out-of-office or personal purposes any confidential information that was received or developed during the administrative investigation. Individuals are responsible for disclosure of the information in accordance to the legislation of the Kyrgyz Republic.

Article 4. Legislation on administrative procedures

1. Legislation on administrative procedures consists of the Law and other normative legal acts of the Kyrgyz Republic, regulating administrative procedures.

2. Other normative legal acts on administrative procedures should correspond to the Law.

3. Normative legal acts on administrative procedures inure since the day of official publication if there is not envisaged anything else in this acts.

4. Normative legal acts may have retroactive force if they:

- extend the privy rights
- cancel or limit their duties
- settle additional guarantees of privy's right protection concerning relations regulated by the Law.

5. Other acts have no retroactive force.

Article 5. Contradiction of normative legal acts on administrative procedures to the Law

1. Normative legal act on administrative procedures is declared contradictive to the Law if the acts is:
 - a) issued by the agency that have no right in accordance with the law to issue such acts or issued against settled rules of such acts issuing;
 - b) cancel or limits the rights of the participant's relations regulated by the Law;
 - c) change settled by the law the contest of duties of the participants of the relations regulated by the Law;
 - d) prohibit or limit the actions of the participants of the relations regulated by the Law that are prescribed, allowed or directly not prohibited by the Law;
 - e) permit or admit actions, prohibited by the Law;
 - f) change settled by the Law principles, conditions, consecution or order of the actions of participant's relations regulated by the Law;
 - g) change the contest of the ideas and definitions or use these ideas and definitions in another meanings then it is used in the Law;
 - h) in other way contradict to general principles and (or) real meaning of specific regulations of the Law.
2. Normative legal acts on administrative procedures are declared not respective to the Law in the case of even one circumstance envisaged by the paragraph 1 of the Article.
3. Is not declared as not respective to the Law a normative act that settles additional guarantees of privy's rights and legal interests protection.
4. If privy used in his/her actions legal regulation that contradict to another legal regulation then his/her actions are concerned as appropriate and not illegal.

Article 6. Administrative cases jurisdiction

1. Administrative cases are within the jurisdiction of administrative organs in accordance to their competences settled by the Law and other legislature on administrative procedures.
2. Administrative cases on suspension (dismissal) of privy specific warrants are within the jurisdiction of the same administrative agencies that empowered to investigate administrative cases on endowment, warranty, registration of such warrants.
3. Administrative cases reviewed by the administrative organs in accordance to the competencies, situated on place of residence (place of presence) of privy or higher organs in accordance to the requirements of the Law.

Higher are considered the administrative organs that have no their own permanent representatives on the territory of a place of residence (place of presence) of a privy.
4. Administrative organ should check on it's own its competence on the decisions made and shown in the address of the privy.
5. Not permitted to prove the competence by the agreement between administrative organ and the side.
6. Id administrative organ have doubts on it's competence, it should consult on the issue with the organ that can be competent to make a decision of the issue.
7. If one of the sides disputes the competency of administrative organ (official), and administrative organ considered itself competent, it settles its competence in specific case on issuing corresponding decision.
8. If one of the sides claims that administrative organ is competent to settle the issue, and the organ considers itself incompetent, it makes decision on rejection to review a case and without delay transfers the case on review of competent organ.

Article 7. Requirements to the procedures of warrants realization

1. Procedures of warrants realization of privy should envisage:
 - endowment by the declarant to administrative organ a minimal number of documents confirming facts stated in address;
 - minimal term of realization of rights and ensuring legal interests;
 - minimal number of instances that will approve draft decision on right's realization;
 - declarant notification regarding place and time of the case review by the corresponding organ;

- ability to insight with the materials of case concerning address, ability of personal participation of the privy in investigation on the its address.

2. Procedures of warrants realization should not permit:

- address of petition in harm of one that submitted petition or in interest of whom this petition was submitted;

- send address to the officials whose actions appealed in address;

- ability to disseminate without permission of privy the information on their private life, personal, family, commercial and any protected by the law secret.

3. Administrative organs should:

- inform the population on acting laws and other normative legal acts, regulating administrative procedures;

- submit settled forms of documents used in reviewing of administrative cases;

- explain the order of filling;

- realize procedures only within the warrants, given them by law or based on the law by another normative legal act.

4. Administrative organ on settling administrative cases assigned that one citizen, subject of entrepreneurship activity or official has broken the law, he/she should inform about the administrative organ that is competent to review corresponding law violations.

5. Administrative organ should directly by it's own force and funds to ascertain all the circumstances of administrative case except cases that directly shown in the Law. Administrative organ gas no right to transfer this duty on privy requesting from him submission of evidences and limiting to these materials.

6. Administrative case review is considered over and control is off only after settlement of all the posed by the applicant questions and informing the applicant on the results of reviewing in a written form.

7. Applicant has a right to apply repeatedly on already reviewed in settled by the Law issue, if there are any new arguments or newly-discovered facts. Follow apply where there is no new arguments or newly discovered facts can not be a subject for review if there was given an answer to applicant in settled order.

8. Decision on refusal in reviewing of follow apply and control off empowered to the head, deputy head of administrative organ. The reason for taking off the control of coming follow apply is the document of a settled form (office memo, note) on the results of it's first review with applications of the answer of administrative organ.

9. Heads and other officials of administrative organs are personally responsible for decisions made on the reviewed applications.

Article 8. Right for representation

1. Privy has the right to participate in relations regulated by the Law personally or by legal or empowered representative.

2. Personal participation of privy do not divest the right to have representative, as well as participation of representative do not divest the privy the right for personal participation in the mentioned relations.

3. Legal representative of a legal entity considered people who are empowered to represent mentioned organization on the base of the law or its constitutive documents.

4. Legal representative of a citizen considered people who are stand as its representatives within the civil legislation.

5. Empowered representative of privy considered natural person or legal entity empowered by the privy to represent its interests in regard of relations with administrative organ (official), other participants of relations, regulated by the Law.

There can not be empowered representatives the people who hold state or municipal positions, state or municipal officials.

6. Empowered representative of legal entity realize its power on the base of warranty of authority issuing in the order settled by the civil law.

Empowered representative of a citizen realize its power on the base of notarially verified warranty of authority.

7. Group of privy has the right on his/her own or on the request of administrative organ to determine his/her common representative one or several representatives empowered to realize relations with administrative organ on behalf of this group.

Article 9. Procedure terms

1. Actions of the participants of the relations, regulated by the Law, are happen within the terms settled

by the legislation of the Kyrgyz Republic.

In the cases when such terms are not determined they are settled by the administrative organ reviewing an administrative case.

2. Terms (procedure terms) determined by precise calendar date, indication on event that obligatory should happen or by the period of time within which the action can be done.

3. Period of procedure term estimated in years, months or days start on the next day after calendar date or coming event that determines its beginning.

4. Term estimated in years expire in corresponding month and date in the last year of settled term.

If expiration of a procedure term estimated in month fall on the month that have no corresponding date then term expires in the last date of the month.

In the cases when last day of the term falls on nonworking day then the date of term expiration considered the first next after this working day.

5. Corresponding action can be made up to twenty four hours of the final day of the term. If necessary documents were submitted up to twenty four hours of the final day of the procedure term then the term is not considered missed.

6. With stoppage of review of administrative case the period of all the not expired procedure terms are suspended. From the day of reopening of administrative case review the period of terms are keep continue.

7. On the application of privy of administrative organ, admitted the reasons of missed procedure terms valid, is renewed a missed term. On a term renewal or on its denial is indicated in the resolution of administrative case.

Chapter II

Procedures of work organization of administrative organs

Article 10. Administrative organ's decision making

1. Administrative organs under the realization of administrative functions and powers make decisions by the way of administrative acts issuing.

2. Administrative act applied to the acts of administrative use, and is the official written document of a settled form and intended for:

- a single use;
- an individual use or specific circle of people;
- establishment; change, stoppage or suspension of rights and duties of individuals or specific circle of people.

3. Administrative acts are not a part of legislation of the Kyrgyz Republic and do not apply to the system of normative legal acts.

Article 11. Requirements to administrative acts and their execution

1. Administrative act should meet the following requirements:

- do not contradict to the Constitution of the Kyrgyz Republic, laws of the Kyrgyz Republic and administrative acts of the higher organs (officials);
- the structure should ensure complete disclosure of the subject of regulation, and the content should be clearly stated and ensure unified understanding and use of an administrative act;
- to determine a comprehensive circle of people on whom an administrative act will be applied, and (or) people, who are responsible for its realization in fixed terms;
- in a maximum possible level stated in a simple and clear language, simply comprehensible for wide groups of population. There should be made efforts to avoid usage of special terminology;
- administrative acts, requiring realization on a subordinate level of management, should content specific instructions to definite officials on their execution.

2. Administrative acts contradicting to the requirements of the Constitution of the Kyrgyz Republic, laws of the Kyrgyz Republic and other normative legal acts are invalid and should not apply on the territory of the Kyrgyz Republic.

3. In the case of contradiction of administrative acts adopted by the administrative organs of different levels there applied legal act of higher organ.

4. In the case of contradiction of the acts, adopted by the administrative organs of one level, there applied an administrative act of the organ within which competence making such decision. On application of privy the decision on priority of one act under another is take by higher administrative organ.

5. Administrative act besides requirements envisaged in paragraph 1 of the Article should content the following requisites:

- name of the act;
- preamble meaning the subject of review of the act;
- place and date of act issuing;
- signature (signatures) of the person (people) empowered to sign corresponding act.

Article 12. Effectiveness and determination of administrative acts

1. Administrative act effects into force after signing and official notice of privy or public informing or official publishing only if there is not determined a later term of coming into force.

Official notice of privy on administrative act means submission with receipt to him/her or his/her representative of the copy of an act or sending an act by mail. In the case of disputes on the question of act submission the burden of evidence is lay on administrative organ.

Under public informing implied the posting up the text of an act in public place of the building of administrative organ. In the case of necessity the act posts up in other public places.

Official publication of an act comes only in the cases envisaged in legislation. Act is published in official herald of corresponding administrative organ. If the organ is not issuing official herald the act is published in periodical that distributes on the territory within jurisdiction of an agency. In other cases there is going a process of public notification of an act.

Administrative organ should settle procedures of publishing or public notification in advance in accordance with requirements of the Law.

2. In emergency cases administrative act may come into force before official publication or official notification if delay may essentially damage the realization of the rights and legal interests of privy or other people, interests of the state or society, elimination of threats, prevent staving off or investigation of violation.

Any limitation from the side of administrative organ should correspond to pursuing purpose and be necessary (proved), suitable and commensurate from the point of subject, time and place of usage and circle of wound people.

3. In case of appeal in administrative or court form the decision on suspension (dismissal) of power of privy the effectiveness of such decision into force and its execution are suspended up to pronouncing the decision by higher organ (higher official) or up to coming into force corresponding court decision.

4. Administrative act cease to be effective from the moment of execution of its requirements or contenting in it instructions by the individuals to whom this act is addressed.

5. Up to the determination an administrative act may be suspended, changed or dismissed by the organ (official) issuing this act, higher to it organ or court.

Article 13. Organization and control on execution of administrative act

1. Organization of administrative act execution is in development and taking organizational arrangements on timely and comprehensive execution of the decision made.

2. In the case of necessity for ensuring of execution of administrative act there developed and approved a plan of organizational arrangements on its execution that is informed to the direct executors.

3. Within the timely and comprehensive execution of decisions made administrative organ, determined by responsible executor of the act should realize control on its execution, develop arrangements on control on necessity.

4. Control is subdivided into the following types:

- control on execution of arrangements envisaged by administrative acts;
- control on execution of orders of senior officials of administrative organs, following other documents of official character;
- internal control (within corresponding administrative organ) and external (on activity of other administrative organs). External control is realized by the higher or special empowered on such control administrative organ.

5. Control is executed by the way of:

- request of necessary information;
- listening and discussion of returns and reports on execution;
- auditing and other forms of documentary control;
- placement control;
- other ways determined in acts regulating activity of administrative organs.

6. Control is executed on the following parameters:

- correspondence of activity of administrative organs to posed issues;
- timeliness and fullness of execution;
- following of the legal requirements

7. Administrative organ analysis all the incoming information on the execution of administrative act to determine:

- level and quality of act execution;
- presence of deflections in act execution, settlement of their reasons and possible measures of deflections elimination;
- ability to control off or prolongation of a term of execution;
- responsibility of specific officials for non-execution of act.

Developed on the results of analysis information the proposals reported to the heads of administrative organ, empowered to execute control on execution of administrative act for making corresponding decision. On the decisions made the executors are informed and if necessary privy.

8. Taking off the control and prolongation of terms of arrangements execution envisaged by administrative acts realized by empowered organ.

9. Control service of higher administrative organ up to the expiration of settled in legal act term of execution has the right to send to executor corresponding written notification.

10. Do not admitted parallel holding of controls on the same questions by different administrative organs and repeated controls that are not envisaged by the legislation of the Kyrgyz Republic.

Article 14. Control on the execution of orders

1. Control on terms of execution of orders is realized by empowered individual of administrative organ.

2. Execution of orders given to several executors coordinates a person who is mentioned in the order first.

3. In the case of necessity of additional time for execution of order the subordinate administrative organ in a written form is addresses with request to prolong the term of execution of the order to higher organ that should make a decision on prolongation or refusal to prolong the term.

In the case of necessity of additional time for execution of internal order of the head the executor addresses in a written form to official who gave an order on prolongation of the term of execution.

4. Executed orders is not controlled by the individual who gave an order or other empowered individual of administrative organ.

Article 15. Personal administrative activity

1. Personal administrative activity- activity realized by officials in administrative organs, containing personal signing of empowered officials of administrative acts, giving orders and instructions to subordinates, personal taking of other organizational - administrative measures on realization of administrative functions.

2. In the case when official is given the right of personal administrative activity, then the right acts on behalf of administrative organ.

The head of administrative organ realizes the governance of entrusted organ and is personally responsible for taken actions.

3. Under personal administrative activity subordinate officials realize their actions within framework of the higher official decisions.

4. Administrative acts adopted in the personal administrative activity order, registered by decrees (resolutions) that register in the Register with appellation of number and distributed among executors. In the case of necessity the action plan on realization of decisions made is developed and approved and control is settled on their execution.

5. On application of privy any administrative case that should be personally reviewed may be reviewed by collective organ with participation of the head and members approved by the head of corresponding administrative organ in accordance with requirements of the Law.

Article 16. Activity of collective administrative organs

1. Collective administrative organs are the organs, decisions that made by a majority of the members of collective organ.

Members of a collective organ should consist of three or other odd number of individuals.

Head of collective organ is presides in administrative meeting and acts other procedure actions

envisaged by the Law.

Head and members of collective organ on reviewing of administrative cases use equal procedure rights.

Questions, raised in reviewing of administrative case by collective organ, are resolved by the majority voices of the members. Nobody of the members of collective organ has no right to abstain from voting. Head of collective organ is voting the last.

Member of collective organ who disagrees with the decision of majority should sign this decision and has the right in a written form his/her special opinion that is attached to administrative case.

Privy has the right to get known with special opinion of the member of collective organ.

Responsibility for legality of the decisions made by the collective organ is on all the members that participated in voting except that one who has special opinion or vote against.

2. The main form of activity of collective organs is their meetings where decisions are made. Member of collective organ who is not able to participate in meeting has the right to declare his/her own opinion on the administrative case that is attached to the materials of the case.

3. On preparation and holding meetings there solving the following questions:

- meetings planning
- development of agenda
- list of questions that should be reviewed on a meeting
- other organizational arrangements on holding a meeting.

4. Order of meeting's holding determined by rules of collective organs. Meetings of collective organs are recorded.

5. Administrative acts issued by collective organ are registered in the form of Decree and register in the Register with conferring a number.

If necessary there developed and approved an action plan on realization of the decisions made, there settled a control on the execution of decisions.

6. Administrative case that should be collectively reviewed can not be given for personal review.

Article 17. Administrative organ's work planning

1. Administrative organs realize its activity in accordance with work plans developed for calendar month, quarter and year in a whole.

2. Administrative organ work plans developed on the base of proposals and approved by the head.

3. List of questions reviewed within the work plan of higher administrative organ, distributed to subordinate organs that review such questions included into the plan of higher organ.

4. On the base of administrative organ work plan their own work plans subordinate organs may develop.

Article 18. Document reviewing and processing

1. Documents sent to administrative organ or directly to the head of the organ, after incoming registered and transmitted to the heads that review and send it for execution with corresponding resolution.

2. If the question is out of settled power of administrative organ then the head makes decision on sending the document to competent administrative organ for subject review.

3. Documents are signed by the head, deputy heads in accordance with allocation of responsibilities between them or other empowered person of administrative organ.

4. On the document that should be returned to the administrative organ there is a note showing necessity of its return.

Chapter III

Submission of Application on review of administrative case

Article 19. Application on review of administrative case

1. Application on review of administrative case (further - application) works as a base for reference raise regulated by the Law, other legislation on administrative procedures.

2. Application on endowment, warranty or registration of privy warrants is submitted by corresponding person or his/her representative.

3. Application on warranty suspension (dismissal) of privy is submitted by an official empowered to control abundance of a settled conditions on usage of mentioned power (further - controlling organ).

4. Application may be submitted to administrative organ directly or send by mail. Applicant has the right to state arguments personally and submit additional materials in support of validity of address.

5. Applicant has the right to require protection of information presenting state, commercial or personal secret for confidentiality of such information.

Article 20. Application form and content

1. Application is submitted to the name of the head of corresponding administrative organ or directly to collective organ or official empowered to review administrative cases of such category.

Application is submitted in a written form and signed by privy or his/her representative.

Application on suspension (dismissal) of power of privy signed by empowered official of controlling organ.

2. In application on endowment, warranty or registration of privy warrants should be shown the followings:

- a) name of the organ where application is submitted
- b) name, organizational legal form - for legal entities
- c) surname, name, patronymic, ID information for individual entrepreneur and citizen
- d) character and content of warrant that is a subject of the application and action of administrative organ fulfillment of which the applicant is striving for;
- e) other information necessary for correct solving of the administrative case from the point of applicant and information settled by laws regulating administrative procedures;
- f) list of attached documents.

Applicant may introduce in application any additional information and petition that have meaning for solving administrative case from his point of view.

It is prohibited to require from the applicant to introduce into the application the information that are not envisaged by legislation regulating administrative procedures.

3. In application on suspension (dismissal) of warrants there shown:

- a) name of the organ where the application is submitted;
- b) name and place of corresponding controlling organ;
- c) surname, name, patronymic, ID information of individual entrepreneur (citizen) - privy;
- d) name and organizational legal form of legal entity - privy;
- e) date and number of decision on endowment (warrants, registration) of corresponding warrant to privy, name and place of organ that made such decision;
- f) date of issuing, series and number of a document issued to privy in support of endowment (warrants, registration) of corresponding warrant and name and place of organ issuing the document;
- g) actual circumstances corresponding to envisaged by law reasons for suspension (dismissal) of corresponding privy warrant;
- h) evidences confirming presence of circumstances shown in subparagraph g) of the item;
- i) proposal of the applicant on suspension (dismissal) of privy warrant with reference to the laws and other normative legal acts;
- j) other information having meaning for solving administrative case.

Article 21. Documents attached to application

1. To the application on endowment, certificate or registration of privy warrants there attached documents, complete list of which is settled by corresponding laws regulating administrative procedures.

It is prohibited to require from applicant to submit documents that have no meaning for solving the administrative case and not envisaged by corresponding law.

Not submitted by the applicant documents are the obstacles for reviewing administrative case, only in the case if such document can not be obtained on demand or received by administrative organ or having meaning for solving administrative case circumstance can not be approved or denied by other evidences.

2. To the application on suspension (dismissal) of privy warrant there attached necessary documents that serve by settled laws as a written evidences of circumstances shown in the application.

Article 22. Acceptance and registration of applications

1. Question on acceptance of applications are solve by administrative organ not later ten in five ay term since the day of application submission or in the process of personal meeting of applicant.

2. All submitted applications are should be registered. Applications and attached to it documents are

accept on inventory, the copy is sent (submitted) to the applicant with a note of the day of its acceptance.

3. Administrative organ should take for review an application submitted within requirements envisaged by the Law.

4. Administrative organ denies accepting application:

a) if this case on subject is not liable to review in accordance with legislation on administrative procedures;

b) if there is inured decision made or resolution on suspension of on the case procedure or approval of the amicable agreement of the court with the same individuals, on the same subject and on the same reasons;

c) if there is in court process a case on dispute between the same individuals, on the same subject and on the same reasons;

d) if on the case there is an inured decision of higher organ in regard of administrative organ or it is on its reviewing.

5. On denial on acceptance of application administrative organ makes reasoned decision that is sending to applicant not later then five days since the day of its receipt or pronounced during personal meeting.

To the mentioned administrative act sending to the applicant there attached submitted by the applicant materials.

6. Administrative act on denial to accept application may be appealed in administrative or court order. In the case of abolition of mentioned administrative act the application may be considered as submitted in the day of initial address to administrative organ.

Article 23. Application return

1. Administrative organ returns application:

a) if there are disregarded form and content of an application settled by the Law;

b) if application is not signed or signed by a person who has not right for its signing;

c) if there is not submitted documents that prove the payment of fee or any other payment settled by law for this category of administrative cases and in the cases when law envisages an opportunity of delay, installment payments or reduce of their size, there is no petition on it or petition is declined.

2. It is not admitted to return application on the reasons of not subject to the authority of administrative case to this administrative organ In this case application is send to corresponding organ empowered to review such administrative cases that about the applicant is informed by letter or announced during personal meeting.

3. On the return of applicant there submitted reasoned administrative act that may be appealed in administrative or court order. In the case of cancellation of mentioned administrative act the application is considered as submitted in the initial day of appeal.

4. Return of application does not prohibit from secondary appeal with it in general order after elimination of committed violations.

Chapter IV

Procedures of administrative case review

Article 24. Evidences under review and solving of administrative case

In the process of reviewing and solving of administrative case in regard of evidences administrative organ is followed by general principals and regulations settled in Chapter 7 of Civil Code and Chapter 6 of Arbitrate process Code of the Kyrgyz Republic.

Article 25. Fees and payments collecting under reviewing of administrative cases

1. To the fees and payments collecting under reviewing of administrative cases belong state fee, licensing fees and other payments that should be paid by privy to the state budget in accordance with the legislation of the Kyrgyz Republic.

2. Settlement and levy under reviewing of administrative case the fees and payments that are not envisaged by laws are not admitted.

Article 26. Administrative costs

1. Administrative costs consist of costs regarding with expenditures on transportation and allowance carrying out by privy, witnesses, experts, specialists and translators concerned with presence in administrative meeting, payment for work done on order of privy or administrative organ, any other expenditures concerned with case process and execution of decisions.

2. Administrative expenditures carried out by privy or administrative organ in order envisaged by the Law.

Article 27. Objection of the member of collective organ and official, expert and translator

1. Head or any other member of collective organ or official of administrative organ, expert and translator may not participate in reviewing of administrative case and should be objected:

a) if they are relatives of privy or his/her representative;

b) if they participate in reviewing of administrative case earlier as experts, translators, representatives or witnesses;

c) if they or anyone of the members of the family are owners of securities or shares of capital of legal entity representing privy;

d) if they personally, directly or indirectly interested in the results of the case or there are any circumstances that evokes doubts in objectiveness and impartiality.

2. Within the collective organ reviewing administrative case there can not be members the individuals who are relatives.

3. Expert is also should be objected if he/she is or was in official dependence from privy, his/her representative or official or member of collective organ empowered to solve this administrative case.

4. Participation of expert or translator in previous review of the administrative case as an expert or translator is not a reason for objection.

5. Under relatives (members of the family) within the article there considered children (including adopted), spouse, parents, brothers, sisters and grandmother and grandfather as from the mother and father side also, grandchildren.

Article 28. Order of declared objection solving

1. On presence of facts shown in the Law, member of collective organ or official, empowered to solve administrative case, expert, and translator should declare rejection. On the same reasons objection may be declared by privy.

2. Rejection and objection should be motivated and declared before review of administrative case essentially or during the process of review.

3. In the case of declaring objection the collective organ (official) reviewing the case should listen opinions of all the privy case participants and listen a person to whom the objection is declared, if rejected wants to give explanations.

4. Question on objection of official reviewing administrative case personally is solving by his/her direct head.

5. Question on objection to one, a few members or the all members of collective organ is solving by the head of administrative organ.

6. Question on objection of expert or translator is solving by administrative organ reviewing the administrative case.

7. On the results of reviewing the question on objection there submitted special decision that is recorded in minutes of administrative meeting or in adopted on this case administrative act.

8. In the case of objection of official the administrative reviewed by another official determined by the head of corresponding organ.

In the case of objection of one or a few members or all the members of collective organ the administrative case is reviewed by other members of collective organ or another collective organ in regard of the decision of the head of corresponding organ.

§1. Administrative case review during the personal reception

Article 29. Personal reception

1. Administrative cases may be reviewed during personal reception without application of simplified procedure or without appointing of waived hearing on administrative meeting.
2. Heads and other empowered individuals of administrative organ should hold personal reception of privy. Reception should be hold in settled and informed to the privy day and time.
3. If privy addresses may not be solved during settled reception time, they should be stated in a written form and submitted for review in settled by the Law order.

§2. Administrative case review within simplified procedure

Article 30. Conditions of administrative case review within simplified procedure

1. Administrative cases do not solved during personal reception may be reviewed within simplified procedure without appointing hearings at administrative session (further- session).
2. Simplified procedure of administrative case review applied only in agreement of privy or his/her representative.
Such agreement may be expressed directly in application on administrative case review or declared directly during personal reception before session on review of administrative case.
3. Official accepting application and working on preparation of administrative case to review, should explain to the applicant the content of simplified procedure and the order of realization his/her right for agreement or disagreement of its application.
4. Compulsion of applicant to giving agreement for application of simplified procedure or to denial from application is considered as administrative violence and leads to responsibility under the legislation.

Article 31. Specifications of simplified procedure of review of administrative case

1. Submission and acceptance of applications on review of administrative case on simplified procedure is realized in the order settled by the Law.
2. In application of simplified procedure the session is not hold.
3. The case on simplified procedure is reviewed and solved personally by empowered official or head of collective organ on correspondence with administrative organ Agenda.
4. Term of decision making is determined by empowered official or head of collective organ that may not take more than one month from the day of application acceptance.
5. On the cases reviewed and solved on simplified procedure and decisions made the head of collective organ reports on the following session of collective organ for their approval in settled order.

§3. Administrative case review at session

Article 32. Actions on preparation of administrative case for review at session

1. On preparation of the case to review at session the head of collective organ (official) should take the following actions:
 - a) interviews an applicant on the essence of his/her application, supposes if necessary to submit additional facts, explains procedure rights and duties;
 - b) on the case of suspension (dismissal) of warrants, summons privy and interviews him/her on the facts of the case, clarifies objections against requests of application and what evidences these objections may be proved, explains his/her procedure rights and duties;
 - c) checks relevance and admissibility of evidences;
 - d) reviews the question on appointment of expertise, attraction of translator and witnesses call;
 - e) takes other actions leading for right and timely solving of administrative case because they are no contradict to the legislation.

Article 33. Announcement on administrative case review during the session

1. Announcement on administrative case review is placed on informational wall of corresponding organ not later than three days before the date of session holding, corresponding notice is sent (submitted) to the participants of the session or announced during personal reception.

2. Announcement includes: members of collective organ (official name, surname, patronymic) reviewing administrative case; information regarding applicant (representative) and privy; subject of application; time and place of session holding.

3. On petition of participants of the session and on their expense or within the initiative of the head of collective organ (official) the announcement on session is published in mass media and placed in Internet.

Article 34. Term of administrative case review at session

1. Administrative case should be reviewed with submission of decision within term do not exceeding one month since the day of application income.

In exceptional cases on the base of petition of privy or independently mentioned term may be prolonged by administrative organ but not more than one month. The prolongation of the term of the case review is shown in the minutes with reasoning.

2. By the acts of legislation on administrative procedures there may be settled shorten terms of review of individual categories of administrative cases.

Article 35. Order of holding administrative session

1. Functions of the head of the session is executing by the head of collective organ or official empowered to review administrative case. Head of session:

- a) opens the session and announces what administrative case will be reviewed;
- b) checks presence of session participants, their power, properness of notification of the members who is absent and what information they have as a reason of their absence;
- c) announces the members of collective organ, informs who is participating as an expert, translator and explains to privy their rights to declare objections;
- d) explains to privy and other participants of the session their rights and duties;
- e) warns the translator on the responsibilities for wittingly mistranslation, expert - for wittingly conclusion or refusal to give conclusion; witness - for giving wittingly false evidences;
- f) removes from the hall the witnesses who come before the hearing of their evidences;
- g) determines the order of session holding and evidences research;
- h) heads the session, ensuring clarification of facts that have meaning for administrative case;
- i) takes measures for ensuring correspondence order within the session.

2. Session is open for presence of all who wish taking into consideration capacity of the hall. Representatives of mass media, public groups and others have the right to participate at the session.

3. Participating in the hall session have the right to make written notices, keep recording, tape recording, video recording, movie and take picture.

4. In the case of order violation during the session the head makes warning to the person who makes violations. On repeated violation of the order the person may be removed from the session hall by the order of the head.

Article 36. Evidence investigation and continuity of administrative case review at the session

1. On review of administrative case there investigated evidences on the case: Listened explanations of privy, witness statements, experts conclusions, get acknowledged with written evidences, inspected material evidences.

2. Administrative case review is realized by permanent members of collective organ (by the same official)

3. Every administrative case review is going continuously except time settled for rest and cases of delay of the case review. In exceptional cases administrative organ have the right to announce break during the session.

Article 37. Solving the petitions of privy in session

1. Petitions of the participants of the session on reclamation of new facts and any other questions regarding review of administrative case are solved by administrative organ after hearing opinions of privy.

2. Results of petitions review are announced by the participants of the session and recorded in the minutes of the session.

Article 38. Unrepresentation of additional evidences and absence of privy at the session

1. Unrepresentation of additional evidences that administrative organ suggested to submit to privy is not be considered as obstacle for administrative case review on already having materials.

2. On absence to the session of privy, witnesses, translators who were properly informed about time and place of session holding, administrative case may be solved during their absence.

3. Taking into consideration specificity of the case administrative organ have the right to postpone review the case in the event of absence of privy, witness, translators or necessity of submission of additional evidences.

4. On postpone of review of administrative case is stated in the minutes of the session.

5. On time and place of a new session its participants are informed by the ways envisaged by the Law.

Article 39. Session Minutes

1. During the session there keeping a minutes. Minutes show:

a) year, month, date and place of session or fulfillment of separate procedural actions;

b) name of the organ reviewing the case, members;

c) name of the case;

d) information on privy and other participants of the session, their presence on the session;

e) information on explanation to privy and other participants of the session their rights and duties;

f) decisions made by administrative organ during the session;

g) oral declarations and petitions of privy;

h) evidences of witness, oral explanations of conclusions by experts.

2. Minutes is hold by secretary of the session empowered by the head.

3. Minutes is signed by the head and participants of the session.

4. Minutes is keeping under fulfillment of separate procedural actions out of the session. Minutes on fulfillment of separate procedural action is keeping and signing directly after fulfilling of this action.

5. Participants of the session have the right to get acknowledged with the minutes of the session or procedural action and provide comments regarding completeness and accuracy of the record. Adoption or denial of comments should be shown in the minutes.

Chapter V Administrative case Decree pronouncing

Article 40. Administrative case Decree taking and stating

1. On solving the administrative case on subject the administrative organ takes Decree that should be legal and reasoned.

By the laws regulating administrative procedures there may be settled specific names and procedure forms of Decree on different categories of administrative cases.

2. Administrative organ bases Decree only on that evidences that were researched within the Law regulations.

3. Administrative organ, declared necessity of additional evidence research and continuation of facts clarification that is important for administrative case, is reopen administrative case review.

4. Decree on administrative case is stated in written form and signed by all the members of collective organ (official). Signatures are certified by the seal of administrative organ in settled order.

Article 41. Decree content

1. Collective organ or official empowered to review administrative cases of corresponding category take Decree on behalf of administrative organ.

2. Decree on administrative case consists of introductory, descriptive, reasoned and resolute parts.

3. Introductory part should include :

- name of collective organ (surname, name, patronymic of official) taking Decree;

- members of collective organ;

- number of administrative case, date and place of its review;
 - privy information;
 - application subject;
 - names of participating at the Hearing people with their warrants.
4. Descriptive part should content:
- summary of an application on administrative case review;
 - summary of explanations, declarations and petitions of privy;
 - notice on the administrative case review order (simplified or in hearing)
5. In Reasoned part of the Decree there should be shown:
- facts of administrative case settled by collective organ (official);
 - evidences on which conclusions of these facts based;
 - reasons why collective organ (official) objected one or another evidences and do not apply laws or other normative legal acts that privy are cited;
 - laws and other normative legal acts that collective organ (official) followed on taking Decree.
6. Resolutive part of Decree should consist of summaries on satisfaction or objection on satisfaction of application on administrative case review.
- On participation in administrative case of a few privy in Decree there should be shown how this case was solved in regard of every privy.
- In resolutive part of the Decree there should be shown the administrative case order of expenditure distribution.
7. On application of simplified procedure the Decree on satisfaction of an application on administrative case review may not content motivative part. In the case of taking Decree on objection of satisfaction of an application it should content motivative part in accordance with requirements of the article.

Article 42. Decree pronouncing and sending it to privy

1. Decree on administrative case is pronounced by the head of collective organ (official) and on necessity is explained the order of Decree appealing.
2. Decree copies are sending to privy or submitted them on receipt not later then three days since the day of Decree taking.
3. Administrative case Decree is come into force by the rules envisaged in article 12 of the Law.
4. In the case of ambiguity of the Decree the collective organ (official), solving administrative case, has the right based on the petition of privy to give an explanation of Decree without changing its contest and based on the petition of privy or own initiative to correct admitted slips, misprints and arithmetic errors without damaging the subject of the Decree.

Chapter VI Appealing conditions and order of the Decrees on administrative cases

Article 43. Right for petition of Decrees on administrative cases

1. Privy have the right to appeal the Decree on administrative cases in the order settled by the Law and legislature regulating administrative procedures.
Privy have the right to appeal some specific actions (negative actions) of administrative organs that wound their rights and interests.
2. Decrees on suspension, dismissal or warrants of privy made by competent administrative organ may be appealed by controlling organs initiating administrative case review.
3. In absence of petitions of privy higher administrative organ may by their own initiative to reconsider taken Decrees on administrative cases on refusal of endowment, certification, registration or suspension (dismissal) of warrants of privy.
Decrees taken on administrative cases on endowment, certification, registration or objection in satisfaction of an application on suspension (dismissal) of privy warrants may be reconsidered by the initiative of higher administrative organ only in legal form.

Article 44. Order of appealing Decrees on administrative cases

1. Administrative case Decrees may be appealed by privy in administrative (administrative complaints) or legal form.

Decrees on administrative cases of executive organs of local self-governments appealed only in legal form.

2. Administrative complaints are sent to administrative organs, higher in regard of administrative organ that take a Decree.

Taking into consideration facts of specific complaints or specifics of the case the higher administrative organ have the right to empower for review of the case the other official or settle another members of collective organ within the requirements of the Law.

3. Court appealing of the Decree privy is going in accordance with procedural legislation.

Article 45. Terms of submission and content of administrative complaint

1. Administrative complaint is submitted during three months after taking appealing Decree on administrative case.

In the case of omission for good reason the term of complaint submission, this term on the petition of the person who submitted complaint, may be renewed accordingly by higher administrative organ.

2. In administrative complaint should shown:

a) name of administrative organ where this complaint is addressed;

b) name of the person who is submitting complaint and other privy;

c) name of collective organ (surname, name, patronymic of official) taking decree to whom this administrative complaint is addressed, number of the case and date of Decree taken, subject of complaint on administrative case review;

d) claims of the person who is submitting complaint and reasons why an applicant considers the Decree on administrative case is wrong;

e) list of attached documents to administrative complaint.

3. Administrative complaint is signed by the person who is submitting complaint or its representative.

To administrative complaint signed by representative attached a warrant confirming its warrants for decree appealing if it was not submitted earlier on the case.

4. To the administrative complaint there attached evidences of fees and other payments if these payments are envisaged by law.

5. Disregard of requirements shown in the article leads to the return of administrative complaint to the person that submitted it.

6. After elimination of facts shown in item 5 of the Law, administrative complaints may be resubmitted in general order.

Article 46. Orders and scopes of administrative complaints

1. Administrative complaint is reviewed within the rules of administrative case reviewing taking into consideration specifics envisaged by the chapter.

Administrative complaints on the cases reviewed on simplified procedure are reviewing on the same simplified procedure by applicant approbation.

2. Additional evidences that have meaning for taking right Decree and administrative case are taking by administrative organ on the petition of privy.

3. Higher administrative organ is not connected with arguments of administrative complaint and checks the legality and validity of Decree taken in a full extent.

4. On reviewing of administrative complaint there may be accepted and reviewed new requirements that were not made to privy under reviewing of administrative case by subordinate administrative case.

Article 47. Term of reviewing of administrative complaint

1. Administrative complaint is reviewed not later than in month term since the day of its incoming.

Only in exceptional cases, on the base of petition of privy or by its own, indicated term may be prolonged by administrative organ but not later then for one month. On term prolongation on reviewing the case there stated in the Decree with substantiation of the reasons.

2. By the legislation on administrative procedures there may be stated shorted terms of reviewing of administrative complaints on the Decree on administrative cases of specific categories.

Article 48. Administrative organ warrants that review administrative complaint

Higher administrative organ reviewing administrative case has the right to:

- a) keep Decree on administrative case without changes and administrative complaint without satisfaction;
- b) cancel Decree on administrative case fully or partially and make another decision;
- c) change Decree on administrative case.

Article 49. Reasons to cancellation or making changes of the
Decree on administrative case

1. Reasons for cancellation or making changes of the Decree on administrative case are:

- a) incomplete ascertainment of facts that are important for administrative case;
- b) failure to prove facts that are important for case, so subordinate administrative organ considered them proved;
- c) contradiction of conclusions stated in the Decree on administrative case, facts of the case;
- d) offences or incorrect application of the norms of material or procedural law envisaged by the legislation on administrative procedures and other legislative acts.

2. As offences of the norms of procedural law are considered cases, if:

- a) administrative case is reviewed by collective organ (official) that has no power to review this case;
- b) member of collective organ (official) who reviewed administrative case was objected within the requirements of the Law;
- c) administrative case was reviewed in absence of privy who has not been informed properly on the time and place of case hearing and the Decree is taken not in favor of the person;
- d) on preparation and review of administrative case there were not executed envisaged by the Law requirements, ensuring publicity and openness of the hearing;
- e) administrative case is reviewed on simplified procedure offending the conditions envisaged by the Law;
- f) the Decree on administrative case is not signed by some of the members of collective organ (official) or signed by not empowered for this people who are stated in the Decree;
- g) the Decree is taken by different collective organ (official) who has reviewed this administrative case;
- h) there is no minutes of the hearing or it is not signed by the members of the hearing.

Article 50. Decree on administrative complaint

1. On the results of reviewing of administrative complaint there taking a Decree that is signed by all the members of the higher collective organ (official) participating in this review.

2. In the Decree of administrative complaint should be indicated the followings:

- a) name of the organ (surname, name, patronymic of an official), taking Decree, its personal members, number of administrative case and date of Decree, names of participants on reading of the complaint with indicating their warrants, date of Decree taking on the administrative case and names of subordinate collective organ (official) that take this Decree;
- b) names of privy including person who submitted a complaint;
- c) summary of the subject of appealed Decree on administrative case;
- d) reasons why the question on checking legacy and validity of the Decree on administrative case is put;
- e) expositions of the people who participated on the complaint reading;
- f) ascertained facts of the case and evidences on which summaries of the read administrative complaint organ (official) are based, and arguments on which one or another evidences were objected, and laws and normative legal acts were not applied that the organ (official) followed on taking the Decree;
- g) on cancellation or changing of the Decree on administrative case the reasons why higher organ (official) is not agreed with summaries of subordinate organ (official);
- h) summaries on the results of read administrative complaint.

At the Decree of administrative complaint should be shown the order of administrative costs allotment.

3. the Decree on administrative complaint is come into force on the rules indicated in the Law.

4. the Decree on administrative complaint is sending to privy or delivering them on receipt within three days after taking

5. the Decree on administrative complaint may be appealed in administrative or legal order. Administrative appealing and review of the Decree on administrative complaints are going within the regulations of the Chapter.

Chapter VII
Decree executions on administrative cases

Article 51. Decree on administrative cases obligations

1. Decree on administrative case is obligatory for execution
2. Decree on administrative case should be executed since the moment of its coming into force.

Article 52. Address of the Decree on administrative case to
the execution

1. Address of the Decree on administrative case to the execution is entrusted to the administrative organ that takes this Decree.
2. Decree on administrative case after reading of administrative complaint is sending to subordinate administrative organ empowered to address it to execution within three days since the day of taking according Decree.

Article 53. Carrying out into execution the Decree on
administrative case

1. Decree on administrative case is carried out into execution by the empowered for this administrative organ in the order settled by the Law, other laws and accordingly adopted other normative legal acts.
2. In the case of taking several Decrees on administrative case in regard of one privy, every Decree is carried out into force by its own.

Article 54. Prescription of Decree execution on administrative
case

1. Decree on administrative case can not be executed if it was executed within three years since the day of its coming into force
2. Term of the time limitation settled by the paragraph 1 of the Article, is interrupted if empowered administrative organ or privy is avoid of execution of the Decree on administrative case.

Article 55. Time limits of the Decree execution on administrative
case

1. The Decree on administrative case that is in force should be executed within the time limits of not later then ten days.
2. By the acts of administrative procedures there may be settled shortened time limits of the Decree executions on administrative case of specific categories.

Article 56. Order of the Decree execution on administrative case

1. Decree on administrative case is executed by the fulfillment of empowered administrative organ the indicated in the Decree actions or abstention from its fulfillment.
2. Fulfillment of the actions on execution of the Decree may be ascertained by the specific document (certificate) and by recording in regarding register.
3. Decree on issuing the document to the applicant that has legal meaning is considered as executed from the moment of factual issuing of such document of a settled form.
4. Execution of the Decree on administrative cases of specific categories may be conditioned by the applicant fulfillment of the specific actions.

Article 57. Duplicate and new document issuing

1. Duplicate or new document issuing instead of issued before is going in the cases and order envisaged by the normative legal acts.
2. On the loss of the document, making useless and other situations of impossibility to use the privy has the right to address with application on issuing a duplicate or new document. The application on duplicate

issuing may be submitted up to the date of expiration of the document.

In order to get a duplicate or new document the privy should not secondly pass thought the according qualification exam, submit any references and fulfill any actions envisaged as a part of conditions of first issuing of the document.

Duplicate or new document issuing instead of issued before is made by empowered administrative organ within ten days based on the materials of read before administrative case with notification of an applicant.

3. Duplicate or new document issuing is paid in the cases, amount and order envisaged by the legislation.

In the cases when replacement of before issued documents is going within the Decree of administrative organ, costs concerned with new documents issuing may not be laid on privy.

Article 58. Issue and verification of the copy of the document accuracy

1. Organ issuing the document having legal sense should within the application of privy to issue its copy and verify the accuracy of the copy of a document if by the legislation there is not envisaged necessity of notarial verification of the copies of such documents.

2. Document copy issuing is covered in the cases, amounts and orders envisaged by laws.

Chapter VIII Administrative organ responsibilities

Article 59. Administrative organ responsibilities

1. Harming privy in the result of issuing by administrative organ an administrative act not following legislation is a subject of consideration.

2. Harm is considered at the expense of administrative organ.

Article 60. Official responsibilities

For fulfilling of offences within the administrative procedures an officials or members of collective organ empowered to read administrative case are accounted for criminal, material, administrative and disciplinary responsibility in the order and conditions envisaged by the legislative acts of the Kyrgyz Republic.

Chapter IX Conclusions

Article 61. Coming into force of the Law

The Law comes into force in three months after official publication.

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Article 62. Rules of reading applications (complaints) submitted before the Law come into force

1. Applications on reading of administrative cases concerned with endowment, certification, registration of privy warrants submitted and nor read before the Law come into force on the request of an applicant should be read within the rules settled by the Law.

2. Application on reading of administrative cases concerned with suspension (dismissal) of privy warrants submitted and not read before the Law come into force should be read within the rules settled by the Law.

3. Complaints of privy submitted and not read before the Law come into force should be read within the rules settled by the Law.

Article 63. Bringing of normative legal acts in conformity with the Law

1. Laws and other normative legal acts of the Kyrgyz Republic settling administrative procedures should be brought in conformity with the Law.

2. Until bringing in conformity mentioned laws and other normative legal acts are applied in the part not contradicting the Law.

3. The Government of the Kyrgyz Republic within its competency should:

- develop draft laws regulating administrative processing;
- take normative legal acts ensuing from the Law.

President of the Kyrgyz Republic A.Akaev

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Of Jogorku Kenesh of the Kyrgyz Republic December 22, 2003

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