

**RESOLUTION
OF THE PRESIDENT OF TURKMENISTAN**

14 January 2004

No. 6547

Ashgabat

on the Registration of Public Associations

(Collection of Acts of the President of Turkmenistan and Decisions of the Government of Turkmenistan, 2004, No. 1, Art. 26)

(with the amendments introduced by Resolution No. 14354 of the President of Turkmenistan of 4 August 2015)

I hereby resolve, in accordance with the Law of Turkmenistan on Public Associations ('the Public Associations Act'):

1. To approve the appended Rules on the Registration of Public Associations.
2. To set the following amounts for the registration fee to be charged for registering public associations:
 - for local public associations – six times the basic unit;
 - for nationwide public associations – ten times the basic unit;
 - for international public associations – 40 times the basic unit, of which 50 per cent in foreign currency.

For the registration of public associations of disabled people or armed forces veterans or the registration of public youth associations, the fees shown above are to be reduced by 50 per cent.

Public associations for children are to be exempt from payment of a registration fee.

The fee for registering subsequent amendments and additions to the charters of public associations that do not entail a change in their status is to be 20 per cent of the fee originally paid for registering the public association.

The fee for re-registering public associations that have changed their status is to be 50 per cent of the fee originally paid for registering the public association (including an amount in foreign currency for public associations that have extended their operations to a foreign country).

The fee for re-registering previously registered public associations is to be 50 per cent of the fee originally paid for registering the public association.

3. To stipulate that the fee for issuing duplicates of a public association's registration certificate or charter is to be 20 per cent of the fee originally paid for registering the public association.
4. To stipulate that the proceeds from registration fees charged under the established procedure are to be paid into the State Budget of Turkmenistan.
5. To stipulate that the Ministry of Finance and the Economy of Turkmenistan is to allocate financial resources for the Ministry Adalat of Turkmenistan (the Ministry of Justice) to place orders for the production of registration certificate forms for public associations.

6. To revoke Resolution No. 632 of the President of Turkmenistan of 3 March 1992 on matters concerning the Registration of Public Associations (Collection of Acts of the President of Turkmenistan and Decisions of the Government of Turkmenistan, 1992, No. 3, Art. 210).

**Approved
by Resolution No. 6547
of the President of Turkmenistan
of 14 January 2004**

RULES

on the Registration of Public Associations

(with the amendments and additions introduced by Resolution No. 10071 of the President of Turkmenistan of 20 October 2008 and by Resolution No. 14354 of the President of Turkmenistan of 4 August 2015)

I. General provisions

1. These Rules govern the procedure for State registration of public associations on the basis of the legislation of Turkmenistan currently in force.
2. The legal capacity of a public association as a legal entity is created at the time of its State registration at the Ministry Adalat of Turkmenistan ('the Ministry of Justice') and of its data being recorded in the Unified State Register of Legal Entities.

For the amended version of Rule 3, see Resolution No. 14354 of the President of Turkmenistan of 4 August 2015 in the official language of Turkmenistan.

For the amended version of Rule 4, see Resolution No. 14354 of the President of Turkmenistan of 4 August 2015 in the official language of Turkmenistan.

5. An application for registration of a public association or an application for registration of amendments and additions to the charter of a public association is to be signed by all founders and members of the management body of the public association concerned, with the full name, year of birth and place of residence of each person.
6. The minutes of the founders' congress (conference) or general meeting, containing information about the establishment of the public association, approval of its charter and formation of its governing, management and internal monitoring/audit bodies, must also give the following details: the date and place of the founders' congress (conference) or general meeting; a list of the founders who participated in the founders' congress (conference) or general meeting, with their family names and initials; information about the number of people who make up the association's operational bodies (executive committee, secretariat, etc.), with the names of the individuals concerned; the substance of the decisions made and the results of voting on them; details (full names) of elected members of the management body and the internal monitoring/audit body; names and signatures of

the chair and secretary of the congress (conference) or general meeting, responsible for drawing up the minutes.

For the amended version of Rule 7, see Resolution No. 14354 of the President of Turkmenistan of 4 August 2015 in the official language of Turkmenistan.

8. Fees are to be charged for State registration of subsequent amendments and additions to the charter of a public association under the procedure and in the amounts provided for by the legislation of Turkmenistan.

The public association is to provide a bank document confirming the fee originally paid for registering the public association concerned.

9. A tenancy agreement and other documents confirming the location of a public association's registered office may be submitted as formal evidence that it has been provided with a legal address.

Giving a citizen's place of residence (a house or flat that is the private property of the individual citizen concerned) as the registered office address of a public association will not result in refusal to register the public association.

10. Two copies of the minutes of the founders' congress (conference) or general meeting, of the information about the founders and of the document showing the provision of a legal address to the public association are to be submitted. After it has been established that these copies are identical, the original documents are to be returned to the public associations' representatives with signed receipts for the copies.

11. Documents are to be submitted for State registration within one month of the date of the founders' congress (conference) or general meeting.

12. Documents relating to registration are to be presented by members of the management body or its representatives at the Ministry of Justice or sent to the Ministry by recorded delivery post with a list of enclosures.

For the paragraph inserted after the first paragraph of Rule 2 [*sic*], see Resolution No. 10071 of the President of Turkmenistan of 20 October 2008 in the official language of Turkmenistan.

Where documents for State registration are submitted through the administrative offices of the Ministry of Justice, Ministry officials are to accept the set of documents specified by law without assessing their substance.

The date on which the founding documents are received at the Ministry of Justice is to be taken as the date of their submission to the registration authority.

13. Documents and other materials relating to registration of a public association are to be submitted in the official language of Turkmenistan.

II. Preparation of documents for registration of a public association

14. Prior to any decision being taken on the registration of a public association, materials are to be prepared for review: the charter and other founding documents are to be analysed in order to ensure:

- their compliance with the Constitution of Turkmenistan, with the Civil Code of Turkmenistan of Saparmurat Turkmenbashi, with the Public Associations Act and with other laws and regulations;
- the availability of all the required documents and their accuracy;
- that the information contained in the founding documents submitted for registration is reliable;
- that the public association's name complies with the requirements of the legislation;
- that the Register of Public Associations contains no other public association with the same name registered for the geographical area within which the public association applying for registration is to operate.

15. During this preparation process, materials submitted in relation to registration may be returned to the public association on request, if this is noted in the log of incoming documents (with the exception of one copy of the charter and the application, which are to remain at the Ministry of Justice).

16. The Ministry of Justice is to inform the public association's management body officially of any observations on the content of the founding documents which require revision.

No modification of a public association's founding documents by staff of the registration authority is permitted while they are under consideration,

17. Managers of a public association who have been authorized by its charter to represent the public association concerned before government bodies may represent its interests regarding matters of registration without power of attorney; other persons may represent the public association with power of attorney granted under its charter by the management body authorized to do so or by recognized officers of the public association.

III. Decisions on a public association's application for registration

18. The Ministry of Justice is obliged to consider a public association's application for registration within one month. Upon completion of consideration of the application, one of the following decisions is to be made: (For the wording replaced in Rule 18, see Resolution No. 14354 of the President of Turkmenistan of 4 August 2015 in the official language of Turkmenistan).

- to register the public association and issue it with a registration certificate;
- to reject the application for registration of the public association, giving written reasons for rejection; a refusal to register a public association may be challenged in court.

19. Where a decision is made to register a public association, the association concerned is to be assigned a registration number and included in the Register of Public Associations.

20. A registered public association is to be issued with a certificate of registration in the prescribed format and a copy of its charter, bound and authenticated by the Ministry of Justice.

21. Two copies of the public association's charter are to be bound and authenticated on the reverse of the last page by the signature of the official responsible for registration and with the official stamp of the Ministry of Justice.

The second copy of the public association's charter and a copy of its registration certificate are to be placed in the registration file kept at the Ministry of Justice.

22. A public association may be refused registration in the circumstances and under the procedure provided for by current legislation.

It is not permissible to refuse to register a public association on the grounds that it would be impractical to establish it.

23. Applicants for registration of a public association are to be informed in writing of a refusal within ten days, with details of the provisions of the legislation of Turkmenistan, violation of which led to refusal to register the public association concerned.

Documents submitted as part of a written application for registration are to be returned to the public association. The Ministry of Justice is to retain copies of all the documents in the file at the time of refusal of registration.

24. Refusal to register a public association does not prevent repeat submission of documents for registration, provided that the grounds for refusal have been eliminated.

The Ministry of Justice is to consider a repeat application and take a decision under the procedure provided for by the legislation of Turkmenistan.

25. Refusal to register a public association may be challenged in court.

26. Amendments and additions to the charters of public associations are subject to registration under the same procedure and within the same time limits as registration of the public associations themselves.

27. In the event of registration of amendments and additions to the charters of public associations entailing changes in their organizational and legal form or changes of name, location of management body, geographical area of operation, purposes or other significant features reflected in the register, the certificate of registration of the public association concerned is to be replaced. The registration certificate previously issued and the charter previously registered are to be relinquished to the Ministry of Justice.

IV. Deregistration of a public association

28. For the amended version of the first paragraph of Rule 28, see Resolution No. 14354 of the President of Turkmenistan of 4 August 2015 in the official language of Turkmenistan.

For deletion of the second paragraph of Rule 28, see Resolution No. 14354 of the President of Turkmenistan of 4 August 2015 in the official language of Turkmenistan.

In cases provided for by law, the Ministry of Justice may apply to the courts for liquidation of a public association.

In execution of a court judgment liquidating a public association, the Ministry of Justice is to issue an order to deregister the association concerned and remove it from the Register of Public Associations. (For the wording replaced in the fourth paragraph of Rule 28, see Resolution No. 14354 of the President of Turkmenistan of 4 August 2015 in the official language of Turkmenistan.)

29. The public association's registration certificate and registered charter are to be withdrawn and added to the materials in the registration file kept at the Ministry of Justice.

For the amended version of Rule 30, see Resolution No. 14354 of the President of Turkmenistan of 4 August 2015 in the official language of Turkmenistan.

V. Consideration of an application to issue duplicate documents

31. In the event of loss of the originals of a public association's registration certificate or a public association's charter, the Ministry of Justice is to issue duplicates of them.

32. For the issue of duplicates of a public association's registration certificate and (or) a public association's charter, the following documents are to be submitted to the Ministry of Justice: (For the wording inserted in the first paragraph of Rule 32, see Resolution No. 10071 of the President of Turkmenistan of 20 October 2008 in the official language of Turkmenistan)

- an application signed by the public association's managers;
- a declaration by the public association's management body that the original documents have been lost;
- review materials, memoranda, reports and other documents confirming the fact that the originals of the documents concerned have been lost.

33. An application for the issue of duplicates of a public association's registration certificate or charter is to be considered at the Ministry of Justice within one month.

When duplicates of registration documents are produced, they are to be marked 'Duplicate' on the front page. A copy of the duplicate document issued and the materials providing grounds for issuing it are to be added to the registration file.

VI. Compiling and storing registration materials

34. The materials relating to registration of a public association are to be compiled in a single registration file, in which all the documents submitted for registration and listed in Rule 4 above must be kept, with a copy of the public association's registration certificate.

Reports verifying that the public association is operating according to its charter, all subsequent correspondence with the public association and information on the continued operation of the public association (annual update), etc. are to be added to the registration file.

The pages of the registration file are to be numbered, fastened and placed in a folder with an internal inventory of the documents it contains.