



This document has been provided by the International Center for Not-for-Profit Law (ICNL).

ICNL is the leading source for information on the legal environment for civil society and public participation. Since 1992, ICNL has served as a resource to civil society leaders, government officials, and the donor community in over 90 countries.

Visit ICNL's **Online Library** at <http://www.icnl.org/knowledge/library/index.php> for further resources and research from countries all over the world.

Disclaimers

Content. The information provided herein is for general informational and educational purposes only. It is not intended and should not be construed to constitute legal advice. The information contained herein may not be applicable in all situations and may not, after the date of its presentation, even reflect the most current authority. Nothing contained herein should be relied or acted upon without the benefit of legal advice based upon the particular facts and circumstances presented, and nothing herein should be construed otherwise.

Translations. Translations by ICNL of any materials into other languages are intended solely as a convenience. Translation accuracy is not guaranteed nor implied. If any questions arise related to the accuracy of a translation, please refer to the original language official version of the document. Any discrepancies or differences created in the translation are not binding and have no legal effect for compliance or enforcement purposes.

Warranty and Limitation of Liability. Although ICNL uses reasonable efforts to include accurate and up-to-date information herein, ICNL makes no warranties or representations of any kind as to its accuracy, currency or completeness. You agree that access to and use of this document and the content thereof is at your own risk. ICNL disclaims all warranties of any kind, express or implied. Neither ICNL nor any party involved in creating, producing or delivering this document shall be liable for any damages whatsoever arising out of access to, use of or inability to use this document, or any errors or omissions in the content thereof.

NOTE: THIS IS NOT AN OFFICIAL TRANSLATION

**The Regulation of the President of Turkmenistan
of January 14 2004, № 6547**

About registration of public associations

**(The collected decrees of the President of Turkmenistan and the decisions of the Government
of Turkmenistan 2004 year # 1, Article 26)**

In accordance with the Law of Turkmenistan “On public associations” I decree:

1. To ratify attached Rules on registration of the public associations.
2. To establish the following rate of registration fee for registration of the public associations:
local public associations – six times the amount of the basic sum;
national public associations – ten times the amount of the basic sum;
international public associations – forty times the amount of the basic sum;
The amount of the registration fee for the registration of the public associations of disabled people, veterans, youth public associations shall be reduced by 50%.
Children’s public associations shall be exempted from the payment of the registration fee.
Registration fee for the registration of the subsequent amendments and additions to public association’s charter that does not result in changes in the status of the public association shall be 20% of the registration fee paid for the registration of the public association.
Registration fee for re-registration of the public association that results in changes in the status of the public association shall be 50% of the fee paid for the registration of the public association (foreign currency for the public associations, which act on the territory of the foreign state).
Registration fee for re-registration of before registered public associations shall be 50% of the fee paid for the registration of the public association.
3. Fee for issuance of the duplicates of the registration certificate, public association’s charter shall be 20% of the fee paid for the registration of the public association.
4. Sums collected as registration fees shall be directed to the State budget of Turkmenistan in accordance with the established procedure.
5. Ministry of Economy and Finance of Turkmenistan on demand of the Ministry Adalat of Turkmenistan shall apportion financial funds for producing of the forms of the registration certificates.
6. Declare as invalid the resolution of the President of Turkmenistan of 03/03/1992 “Questions of the registration of the public associations” (Collection of the acts of the President of Turkmenistan and regulations of the Government of Turkmenistan, 1992, #3, p. 210).

**President of Turkmenistan
Saparmurat Turkmenbashi**

Rules on Registration of Public Associations

I. General provisions.

1. These Rules regulate the order of the state registration of public associations on the basis of the current legislation of Turkmenistan.
2. According to the law legal capacity of the public association as legal entity arises from the moment of the state registration in Turkmenistan Ministry Adalat and entry of the data into the Unified state register of legal entities.
3. Ministry Adalat of Turkmenistan registers public associations irrespective of their types and also irrespective of the fact of creation of the branches and representative offices of foreign public associations on the territory of Turkmenistan.
4. Following documents shall be submitted for the registration of the public association:
 - Application;
 - Charter of the public association in two copies;
 - Protocol of the founders' assembly (conference) or general meeting that shall contain information regarding creation of the public association, confirmation of its charter and formation of the governing and controlling and auditing bodies;
 - Data about founders;
 - Document confirming payment of the registration fee;
 - Document confirming the fact of providing of legal address to the public association.
 - In addition to the documents indicated above it is necessary to submit document that confirms the presence of structural subdivision of the organization, branch representative office for registration of international public association.

For registration on the territory of Turkmenistan of structural subdivisions of foreign public associations it is necessary to submit notary certified copies of founding documents of the main public association that was created on the territory of the foreign state.

5. Application for registration of the public association and application for registration of amendments and additions to the charter of the public association shall be signed by all founders and members of the governing body of the public association with the indication of surname, name, middle name, birth date and place of residence.
6. The protocol of the founders' assembly (conference) or general meeting that contains information regarding creation of the public association, confirmation of its charter and formation of the governing and controlling (auditing) bodies shall also contain the following data: date and place of the founders' assembly (conference) or general meeting with the indication to their initials; data regarding quantitative and personal composition of the working bodies (presidium, secretariat, etc.); the essence of the adopted decisions and the results of voting on such decisions; data (surname, name, middle name) regarding the elected members of the governing and controlling (auditing) bodies; surnames and signatures of the chairman and secretary of the assembly (conference) or general meeting, of persons responsible for the composing of the protocol.
7. Information regarding the founders of the public association that is necessary for the registration of the public association include: surname, name, middle name, year of birth, citizenship, address of the permanent residence and telephone number, passport data (series and number, date and place of issuance, by which

agency it was issued). The indicated information shall be certified by the personal signatures of the founders.

With regard to the public associations – legal entities, which can belong to the founders along with the persons following information is necessary: official full name of the public association that shall include the indication to its organizational legal form and territorial sphere of its activity; registration date of the public association with the indication of the number of the registration certificate; legal address.

8. Registration fees for the state registration of the public association, of subsequent amendments and additions to its charter shall be collected according to the procedure and at the rate provided by the legislation of Turkmenistan.

Public association shall submit document of the bank that confirms payment of the registration fee for the registration of the public association.

9. Providing of the public association with the legal address can be formalized as rent agreement and other types of documents that confirm the residence of the public association.

Providing of the public association with the legal address at the address of permanent place of residence of the citizen (house, apartment that is in personal possession of the citizen) shall not result in refusal in registration of the public association.

10. The protocol of the founders' assembly (conference) or general meeting, information about the founders and document confirming legal address of the public association shall be submitted in two copies. After the verification of the identity the originals of these documents shall be returned to the representatives of the public associations on receipt on the copies of the documents.

11. Documents for the registration shall be submitted within one month after the date of the founders' assembly (conference) or general meeting.

12. Documents for the registration shall be submitted by the members of the governing body or by its representatives or shall be directed to the Ministry Adalat of Turkmenistan by post with notification and list of the documents attached.

Specialists of the Ministry Adalat of Turkmenistan shall accept documents for registration through the chancellery without the evaluation of the essence of the documents.

The date of the submission of the founding documents to the registering body shall be the date of their entry into the Ministry Adalat of Turkmenistan.

13. Documents and other documents for the registration of the public association shall be submitted in the state language of Turkmenistan.

II. Preparation of the documents

to the registration of the public association

14. There shall be the stage of preparation of the materials for the consideration before the taking of decision about the public association registration. During this stage the charter and other founding documents shall be analyzed in order to reveal:

- Whether the documents are in compliance with the Constitution of Turkmenistan, Civil Code of Turkmenistan of Saparmurat Turkmenbashi, Law "On Public Association" and other normative legal acts;
- Whether the list of the required documents is complete and whether the documents are drafted correctly;
- Whether the information that is contained in the documents submitted for the registration of the founding documents is reliable;
- Whether the name of the public association is in accordance with the requirements of the legislation;

- Whether in the register of public associations of the registered public association with the same name on the territory in which limits the given public association carries out the activity.

15. During the process of the preparation for the registration the materials can be returned to the public association with the note in the journal of incoming documentation (except one copy of the charter and application which are left in the Ministry Adalat of Turkmenistan).

16. Governing body of the public association shall be informed by the ministry Adalat of Turkmenistan in case of remarks regarding the content of the founding documents that require revisions.

There shall be no editing of the founding documents by the specialists of the registering body.

17. Leaders of the public associations shall have the right to represent the interests of the public associations without power of attorney if they are endowed by the charter with the right to represent the public association in state bodies. Other persons shall have the right to represent the public association with the power of attorney, which is issued in accordance with the charter by the authorized governing body or by the authorized official of the public association.

III. Decisions on application

for registration of the public association

18. Ministry Adalat of Turkmenistan is obliged within one month period to consider the application of the public association for its registration. As result one of the following decisions shall be taken:

- to register the public association and issue the certificate of registration;
- to reject application for registration of the public association together with the written reasoned rejection, which can be appealed to Kazyet.

19. On the basis of the decision of registration the public association shall be provided with the registration number and shall be included into the register of the public associations.

20. Registered public association shall be given the registration certificate of the prescribed form and one copy of the charter bound and sealed by the Ministry Adalat of Turkmenistan.

21. Two copies of the charter of the public association shall be bound and sealed by the signature of the responsible official and by the official stamp of the Ministry Adalat on the reverse side of the last page.

Second copy of the public association's charter and copy of the registration certificate shall be bound into the registration file, which shall be kept in the Ministry Adalat of Turkmenistan.

22. Public association can be refused registration in accordance with the procedure established by the current legislation.

Public association shall not be refused registration on the basis of inexpedience of its creation.

23. In case of refusal in registration of the public association the applicants shall be informed within 10-days period in written form with indication to the Turkmenistan legislation provisions which are violated.

Documents submitted to the registration shall be returned to the public association. Copies of all documents submitted by the moment of refusal in registration shall be kept in the Ministry Adalat of Turkmenistan.

24. Refusal to register the public association shall not prevent subsequent submission of the documents for the registration, subject to elimination of the shortcomings, which were the grounds for such refusal.

Consideration of the subsequent application to the Ministry Adalat of Turkmenistan and decision on such application shall be made according to the procedure established by the Turkmenistan legislation.

25. Refusal to register the public association can be appealed to Kazyet.

26. Amendments and additions to the charters of the public associations shall be registered according to the procedure and within the period of time established for the registration of the public association itself.

27. In case of registration of the amendments and additions to the public associations charters which result in changes in organizational legal form, name, place of residence of the governing body, territorial sphere of activity, aims and other significant features reflected in the Register, such public associations shall be issued another certificate of registration. The previous certificate of registration and previous registered charter shall be returned to the Ministry Adalat of Turkmenistan.

IV. Cancellation of the registration of the public association

28. In cases stipulated by the charter the public associations can be liquidated and stop their activities on decision of assembly (conference) or general meeting or on decision of Kazyet, and also in case of cancellation of the registration by the Ministry Adalat of Turkmenistan.

Ministry Adalat of Turkmenistan cancels the registration if the public association mainly switched to the entrepreneurial activity or if the execution of the aim envisaged by the charter is impossible.

Application for the liquidation of the public association can be submitted to the Ministry Adalat of Turkmenistan in cases provided by the law.

In case of execution of the Kazyet's decision on liquidation of the public association the Ministry Adalat of Turkmenistan issues the order on abolition of the registration of the public association and on exclusion of the public association from the Register.

29. The registration certificate of the public association and registered charter of the public association shall be seized and attached to the materials of registration file which is kept in the Ministry Adalat of Turkmenistan.

30. The decision on cancellation of the registration and exclusion of the public association from the Register shall be directed to the governing body of the public association, to the State service on foreign investments under the President of Turkmenistan, to the organs of state tax service, to Turkmemillikhasabat, to bank institutions.

V. Consideration of the applications regarding

issuance of the duplicates of the documents.

31. In case of loss of original of the registration certificate of the public association or of the public association charter the Ministry Adalat of Turkmenistan shall issue duplicate of these documents.

32. Following documents shall be submitted to the Ministry Adalat of Turkmenistan for issuance of the duplicate of the public association registration certificate and (or) public association charter:

- . Application signed by the leaders of the public association;
- . Decision of the governing body of the public association on the fact of loss of the documents' originals;
- . Materials of the examination, acts, references and other documents confirming the fact of loss of the above indicated documents' originals.

33. Application for the issuance of the duplicates of the public association registration certificate and charter shall be considered in the Ministry Adalat of Turkmenistan within one month period.

In case of drafting of duplicates of registration documents there shall be made "duplicate" inscription on the right side of the document. The copy of the issued duplicate of the document and materials that were the ground for the duplicate's issuance shall be attached to the registration file.

VI. Drafting and keeping of the materials of registration.

34. Registration materials of the public associations shall be put into separate files each of which shall contain all documents submitted to the registration and indicated in item 4 of these Rules and copy of the public association registration certificate as well.

References regarding the inspection of the public association charter activity, all subsequent correspondence with the public association, annual reporting information about the continuance of the public association activity, etc. shall be attached to the registration file.

Pages of the registration file shall be enumerated, fastened together and bound into the file together with the list of all documents attached.