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## **KYRGYZ REPUBLIC CODE ABOUT ADMINISTRATIVE LIABILITY**

In edition of the Laws of KR dated  
November 27, 1999 № 131, March 10, 2002 № 33, March 20, 2002 № 42, June 22, 2002 № 109,  
February 17, 2003 № 36, February 19, 2003 № 42, June 11, 2003 № 98, June 11, 2003 № 100, June 28, 2003 № 121,  
August 5, 2003 № 191, August 5, 2003 № 192, August 9, 2003 № 193, November 14, 2003 № 221, February 15, 2004 № 13,  
March 9, 2004 № 18, March 11, 2004 № 20, June 11, 2004 № 71, July 26, 2004 № 98, July 27, 2004 № 100, August 2,  
2004 № 102, December 23, 2004 № 194, February 25, 2005 № 39, March 5, 2005 № 43, July 18, 2005 № 107, July 18,  
2005 № 109, August 5, 2005 № 121, August 5, 2005 № 122, January 27, 2006 № 16, February 6, 2006 года № 35,  
February 13, 2006 № 52, February 13, 2006 № 53, July 25, 2006 № 127, July 26, 2006 № 130, August 8, 2006 № 159,  
August 21, 2006 № 174, December 6, 2006 № 198, December 28, 2006 № 212, March 1, 2007 № 29, March 5, 2007 № 31,  
March 5, 2007 № 32, March 9, 2007 № 33, April 28, 2007 № 65, June 25, 2007 № 91, July 31, 2007 № 130,  
November 9, 2007 № 162

### **Reduced version**

#### **General part, section I.**

Chapter 10. Administrative violations, infringing on population health care

Chapter 28. Administrative violations, infringing on public order and public safety

#### **Legal procedure part, section III.**

Chapter 36. Authority, competent to consider cases about administrative violations

### **General Part, Section I.**

#### **Chapter 10. Administrative violations, infringing on population health care**

##### **Article 85. Violation of the Law about Population Health Care**

Violation of the Law about Population Health Care by officials results in imposing of administrative penalty in the amount of from five to ten calculation indexes.

##### **Article 85<sup>1</sup>. Violation of the Law about Protection of Citizens from harmful effects of tobacco**

Violation of the Law about Protection of Citizens from harmful effects of tobacco results in imposing of an administrative penalty, for individuals - from one to three, for officials – from ten to twenty, for legal entities – from one hundred to five hundred calculation indexes.

(In ed. Law KR dated March 5, 2007 № 31)

##### **Article 397. Smoking at fire-hazardous places**

Smoking at fire-hazardous places results in imposing of administrative penalty in the amount of from one to three calculation indexes.

(In ed. Law KR dated March 5, 2007 № 31)

**Legal Procedure Part, Section III**  
**Chapter 36. Authority, competent to consider cases about administrative violations**

**Article 506. Authority (officials), authorized to consider cases about administrative violations**

Cases about administrative violations are considered by:

- 1) judges of district, municipal courts;
- 2) administrative commissions of municipal, district State Administrations;
- 3) commissions on minors' affairs of municipal, district State Administrations;
- 4) offices of internal affairs;
- 5) ministries, departments and other governmental bodies according to their competence;
- 6) heads of the clan courts;
- 7) bodies of local government (commissions) on consumers' rights protection;
- 8) State Firefighting service.

(in ed. Laws KR dated March 10, 2002 № 33,  
March 20, 2002 № 42, July 18, 2005 № 107)

**Article 508. Judges**

Judges of district, municipal courts consider the cases about administrative violations and impose administrative penalties, stipulated by the Articles 49-68, 70-74, 75-1, 79, 80, 80-1, 82-1, 85, **85<sup>1</sup>**, 87, 91-1, 92, 93, 95, 102, 105, 140, 142, 147, 148, 149, 151-157, part two Article 230, part one and two Article 238, part one Article 241, part two Article 242, Articles 246, 248, part two Article 254, Articles 264, 265, 271, 273, 277, part two Article 286, Article 286-1, part two Article 289, Articles 300, 301, part one Article 302, part two, three, four Article 305, Articles 308, 339-345, 354, 363, 364, 368, 369, 370, 371, 373, 374, 382, part two Article 390, 391, Articles 392-395, part two Article 400, Article 400-1, Articles 404-406, 409-1, 409-2, 412, part one Article 417, part one Article 418, Articles 420-422, 476, 481, 505-1 - 505-10 of the present Code.

Cases about administrative violations, stipulated by part one Article 503, Articles 504-10, 504-14, 504-16, 504-17, 504-19, 504-23, 504-32, 504-33, 504-36, 505 of the present Code, are considered by the judges when authority or official, who received the case about such administrative violation, passes it to judge for consideration.

(In ed. Laws KR dated March 10, 2002 № 33, February 17, 2003 № 36, February 19, 2003 № 42, August 5, 2003 № 191, August 5, 2003 № 192, February 15, 2004 № 13, June 11, 2004 № 71, August 5, 2005 № 121, August 5, 2005 № 122, February 13, 2006 № 53, March 5, 2007 № 31, March 9, 2007 № 33, June 25, 2007 № 91, November 9, 2007 № 162).

**Article 511. Offices of internal affairs (police)**

Offices of internal affairs consider the cases about administrative violations and within their competence impose administrative penalties, stipulated by the Articles:

Heads of the offices of internal affairs and their deputies - 92-1, 216, part one Article 223, Articles 224-229, part one Article 231, Articles 232, 233, part one Article 234, Articles 235-237, Article 239, part one Article 240, part one Article 242, part one Article 251, part one Article 364, Article 365, part one, two, three Article 366, Articles 375, 376, part one Article 377, Articles 378-386, 389, part one Article 390, Articles 391, 391-1, 393, 410;

Heads of the offices of internal affairs in transport area and their deputies - **85<sup>1</sup>**, 212, 216, 220, part one Article 240, part one Article 364, Article 365, part one, two, three Article 366, Articles 378, 410;

Heads of territorial departments and police stations - **85<sup>1</sup>**, 216, part one, two Article 220, part one Article 240, Article 365, part one, two Article 366, Articles 377, 384, 389, 410;

District police officers - **85<sup>1</sup>**, 247, 365, part one Article 366, part one Article 384, Article 396;

Heads of administrations, departments (divisions) of State Motor Licensing and Inspection department (SMI) and their deputies, when there is no State Motor Licensing and Inspection department in the office of internal affairs – then, heads of the offices of internal affairs and their deputies - Articles **85<sup>1</sup>**, 173, 212, part three Article 214, Articles 216, 217, 218, 219, part one Article 223, Articles 224-229, part one Article 231, Articles 232, 233, part one Article 234, Articles 235-237, Article 239, part one Article 240, part one Article 242, part one, two Article 243, Articles 244, 245, 247, 249, 250, part one Article 251;

Senior inspectors of the departments, administrations of State Motor Licensing and Inspection department (SMI), leaders of regiments, battalions, companies of road patrol services of State Motor Licensing and Inspection department (SMI), senior SMI inspectors, (when there is no SMI department in the office of internal affairs) - Articles **85<sup>1</sup>**, 173, 212, 216, 217, 218, part one Article 223, Articles 225, 226, 227, part one, two Article 228, part one Article 229, part one Article 230, part one Article 231, Articles 232, 233, 235, 236, 237, part one Article 240, part two Article 241, Articles 244, 247;

Platoon leaders, senior SMI inspectors, SMI inspectors, inspectors of road patrol services of SMI - Articles **85<sup>1</sup>**, 226, 227, part one, two Article 232, part one Article 233, Articles 237, 247 of the present Code.

(In ed. Laws KR dated March 10, 2002 № 33, June 28, 2003 № 121, August 5, 2003 №191, August 9, 2003 № 193, August 5, 2005 № 121, March 5, 2007 № 31)

#### **Article 514. Health Care Authorities**

Health Care Authorities of the Kyrgyz Republic consider the cases about administrative violations, stipulated by the Articles **85<sup>1</sup>**, 86-89, 90, 91, 94, 96, part one Article 286, 306, 410, 431-1, 431-2, 487 of the present Code.

The following officials have the right to consider the cases about administrative violations and to impose penalties:

- Head of the Main Department of Health Services Arranging and licensing of the Ministry of Health of the Kyrgyz Republic;

-General Director of the Department of Medication and Medical Technics Provision affiliated to the Ministry of Health of the Kyrgyz Republic;

- Directors of the Regional United hospitals, Director of Health Department in Municipality of Bishkek city;

- Head State Sanitary Physician of the Kyrgyz Republic;

- General Director of the State Sanitary and Epidemiology Surveillance of the Ministry of Health of the Kyrgyz Republic;

- Head State Sanitary Physicians of regions, Bishkek and Osh cities;

- Head State Sanitary Physicians of cities and areas under regional supervision.

(In ed. Laws KR dated March 10, 2002 № 33, July 18, 2005 № 109, March 1, 2007 № 29, March 5, 2007 № 31)

### **Article 516. Authorities of auto transport, electric transport and road management**

Authorities of auto transport, electric transport and road management of the Kyrgyz Republic consider the cases about administrative violations, stipulated by the Articles 85<sup>1</sup>, 211-215, 217, 222 of the present Code.

The following officials have the right to consider the cases about administrative violations and to impose penalties:

- inspectors of passenger municipal, inter-city, international auto and electro transport;
- Chief Transport Inspector of the Ministry of Transport and Communications of the Kyrgyz Republic and his deputies;
- Heads of Regional Departments of Transport Inspection and their deputies;
- Head of Road and Licensing Service of the Ministry of Transport and Communications of the Kyrgyz Republic;
- Heads of motor roads state management and their deputies;
- inspectors of Road and Licensing Service and of Transport Inspection.

(In ed. Law KR dated March 5, 2007 № 31)

### **Article 517. Authorities of Railway Transport**

Authorities of Railway Transport of the Kyrgyz Republic consider the cases about administrative violations, stipulated by the Articles 85<sup>1</sup>, 211, 212, 215, part one Article 216, Articles 219-222, 410 of the present Code.

The following officials have the right to consider the cases about administrative violations and to impose penalties:

- Chiefs of the Stations, Railway Stations, passenger trains and their deputies;
- inspector of passenger train.

(In ed. Law KR dated March 5, 2007 № 31)

### **Статья 518. Authorities of Air Transport**

Authorities of Air Transport of the Kyrgyz Republic consider the cases about administrative violations, stipulated by the Articles 85<sup>1</sup>, 211, 222, 252, 253, part one Article 254, Articles 255-258, Article 410 of the present Code.

The following officials have the right to consider the cases about administrative violations and to impose penalties:

- Director of the Air Transport Department and his deputy;
- Head of the Licensing Division of the Air Transport Department;
- Airports Directors and their deputies;
- Chiefs of the Flights Security service.

(In ed. Laws KR dated March 10, 2002 № 33, March 5, 2007 № 31)

### **Article 539. Authorities of Firefighting Service**

Authorities of Firefighting Service consider the cases about administrative violations, stipulated by the Articles 85<sup>1</sup>, 396-399, 410, 489 of the present Code.

The following officials have the right to consider the cases about administrative violations and to impose penalties:

- Chief State Inspector on fire fighting control of the Kyrgyz Republic and his deputies;
- Senior State Inspectors on firefighting control of the Kyrgyz Republic, regions, cities and areas under regional supervision;
- state inspectors of the cities, districts and objects of firefighting control.

(In ed. Laws KR dated July 18, 2005 № 107,  
March 5, 2007 № 31)

## **Article 540. Authorities of State Inspection of Standardization and Metrology**

Authorities of State Inspection of Standardization and Metrology of the Kyrgyz Republic consider the cases about administrative violations, stipulated by the Articles **85<sup>1</sup>**, part one Article 289, Articles 290, 410 of the present Code.

The following officials have the right to consider the cases about administrative violations and to impose penalties:

- Chief State Inspector of the Kyrgyz Republic on Standard Control and Providing of Uniformity of Measurements and his deputy;
- Chief State Inspectors of territorial Authorities on Standard Control and Providing of Uniformity of Measurements and their deputies.

(In ed. Laws KR dated March 10, 2002 № 33, March 5, 2007 № 31)

**President  
of the Kyrgyz Republic**

**A. Akaev**

Adopted by Zhogorky Kenesh of the Kyrgyz Republic

June 18, 1998