

Unofficial Translation; Excerpts Only

With amendments and additions, introduced as of December 1, 2019

About the introduction of amendments and additions to the Criminal Code of Turkmenistan and approval of it in the new revision

LAW

of

Turkmenistan

About the introduction of amendments and additions to the Criminal Code of Turkmenistan and approval of it in the new revision

(Mejlis of Turkmenistan, 2010, No. 2, article 28)

Article 1. Make amendments and additions to the Criminal Code of Turkmenistan and approve it in a new version (attached).

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Article 3. This Law comes into force on July 1, 2010.

President of
Turkmenistan

Gurbanguly
Berdymukhamedov

City of Ashgabat

May 10, 2010

№ 104-IV.

**CRIMINAL CODE OF
TURKMENISTAN**

GENERAL PART

SECTION XI. ECONOMIC CRIMES

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CHAPTER 27. CRIMES AGAINST THE REALIZATION OF ECONOMIC ACTIVITY

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Article 254. Smuggling

(1) Smuggling, i.e. the movement of goods or other items across Turkmenistan's customs border, which are subject to special rules for the movement across Turkmenistan's customs border, with the exception of goods and other items mentioned in part three of this article, committed in addition to or with concealment from customs control or with the fraudulent use of documents or customs identification tools, or involving non-declaration or false declaration,

punishable by a fine of twenty-five to fifty times the average monthly wages with or without any or correctional labor for up to two years with or without confiscation of property or imprisonment for up to three years with or without confiscation of property.

(2) The act referred to in part one of the first article, committed:

- a) repeatedly;
- b) by a group of persons by prior conspiracy or an organized group;
- c) by an official using his or her official position or by a person exempt from customs control;
- d) with the use of violence against a person carrying out customs control,

punishable by a fine of between seventy-five and one hundred and fifty times the average monthly wages, with or without confiscation of property or imprisonment for three to five years with or without confiscation of property.

3) Movement of drugs, psychotropic substances and their precursors across the customs border of Turkmenistan, weapons used in the manufacture of narcotic drugs or psychotropic substances,

potent, poisonous, toxic, radioactive or explosive substances, weapons, explosive devices, firearms or ammunition, nuclear, chemical, biological, and other weapons of mass destruction, materials and equipment, medicines containing tramadol hydrochloride (other tramadol products) or other large-scale psychoactive substances that can be used in the creation of weapons of mass destruction, which are subject to special rules for moving through Turkmenistan's customs border, strategically important commodities, cultural property, which are subject to special rules for moving across Turkmenistan's customs border, if this act is committed in addition to or with concealment from customs control either with the fraudulent use of documents or customs identification tools, or involves non-declaration or false declaration,

punishable by three to eight years of imprisonment with or without confiscation of property.

(4) The act referred to in paragraph three of this article is committed:

a) repeatedly;

b) by a group of persons by prior conspiracy or an organized group;

c) by an official using his or her official position or by a person exempt from customs control;

d) with violence against a customs officer punishable by five to ten years' imprisonment with or without confiscation of property.

Note

1. The act provided for in part one of the first article is recognized as large-scale if the value of the goods transferred exceeds fifty times the average monthly wages.

2. The list of medicines containing tramadol hydrochloride (other tramadol products) or other psychoactive substances, and their large size, are established by the regulations of Turkmenistan.

(In the version of the Laws of Turkmenistan, dated November 9, 2013, March 1, 2014, June 3, 2017 and June 9, 2018 - Register of the Mejlis of Turkmenistan, 2013, No. 4, art 77; 2014, No. 1, art 44; 2017, No. 3, art. 106; 20. Article 35).

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CHAPTER 30. PUBLIC HEALTH CRIMES

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CHAPTER 30. CRIMES AGAINST PUBLIC HEALTH

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Article 306¹- Manufacturing, acquisition, storage, transportation, shipment of Naswar for sale purposes

Manufacturing, acquisition, storage, transportation or shipment of Naswar on a large scale for the purpose of marketing, as well as the sale of Naswar, made by a person who has been subject to fines by the manufacturer, acquisition, storage, transportation, shipment, sale or consumption of Naswar,

punishable by a fine of fifty to one hundred times the average monthly wages or correctional work for up to two years or imprisonment for up to one year.

Note

The large size of the Naswar mentioned in this article is set by Turkmenistan's regulations.

2 A person who voluntarily surrenders his or her Naswar is exempt from criminal liability for the crime in question.

(As amended by the Law of Turkmenistan of November 9, 2013 - Register of the Mejlis of Turkmenistan, 2013, No. 4, art. 77).

Manufacture, purchase, storage, transport or forwarding of the Naswar on a large scale for the purpose of sale, as well as sale of the Naswar by a person who has been subject to administrative fines for the manufacture, purchase, storage, transport, forwarding, sale or consumption of the Naswar twice within one year,

punishable by a fine of between fifty and one hundred times the average monthly wage or by punitive work for up to two years or imprisonment for up to one year.

Note

1. The large size of the Naswar, specified in this article, is established by the country's regulatory legal instruments.

2. A person who voluntarily surrenders his or her assets to us is exempt from criminal liability for the crime in question.

(As amended by the Act of 9 November 2013. - Register of the Majlis of Turkmenistan, 2013, No. 4, article 77).