

**CODE ON ECONOMIC COURT PROCEEDINGS
REPUBLIC OF TAJIKISTAN**

CHAPTER 4. COMPETENCE OF ECONOMIC COURTS

§1. Jurisdiction

Article 26. Legal matters under the jurisdiction of economic court

1. Legal matters related to the course of business or other economic activities shall fall under the jurisdiction of the economic court.

2. Arbitration courts shall examine and settle economic disputes and other cases to which legal entities and sole proprietors are parties as well as the cases (specified in this Code and other legislative acts) to which the Republic of Tajikistan, government and other agencies, officials, entities with no legal status, and individuals not ranked as sole proprietors (hereinafter referred to as “individuals” and “entities”) are parties.

3. Other legal matters may also fall under the jurisdiction of economic courts in accordance with the legislation.

4. The claim noted by the economic court in accordance with jurisdiction rules should be examined by the court on its merits irrespective of whether a person who is not a sole proprietor would be brought into the proceedings as a non-party intervener in the future.

5. Economic courts shall handle legal matters falling under their jurisdiction to which entities and citizens of the Republic of Tajikistan as well as foreign and international organizations, foreign citizens, stateless business persons, and entities with participation of foreign capital are parties unless otherwise is specified in international legal acts acknowledged by Tajikistan.

Article 27. Jurisdiction over economic disputes and other legal matters arising from civil law relationships.

Economic courts shall by way of action proceedings handle economic disputes and other legal matters related to the course of business and other economic activities of legal entities and sole proprietors and arising from civil law relationships as well as legal matters related to the course a business and other economic activities of other entities and individuals in the cases provided for by this Code and other legislative acts.

Article 28. Jurisdiction over economic disputes и other legal matters arising from administrative and other legal public relationships.

Economic courts shall handle economic disputes arising from administrative and other public legal relations and related to the course of business and other economic activities of entities and individuals and as follows:

- invalidation cases for non-normative legal acts of the government agencies of the Republic of Tajikistan, of decisions and actions (nonfeasance) of the government agencies, other

bodies and officials, which affect the rights and legal interests of the applicant party in business and other economic activities;

- cases on the enforcement of compulsory payments and penalties imposed on the entities and individuals carrying on business and other economic activities unless other recovery procedure is specified in the law.

- cases on the budget reimbursement for the funds debited by controlling agencies without recourse (further authorization) in violation of the law or another regulatory act;

- other legal matters arising from administrative and other legal public relations if they fall under the jurisdiction of the economic court in accordance with the legislation.

Article 29. Jurisdiction over legal matters brought to establish facts having legal effect.

Economic courts shall handle within special proceedings legal matters for finding facts, which have legal effect on creation, change, and termination of rights of individuals and entities related to business and other economic activities.

Article 30. Jurisdiction over legal matters on litigation of arbitration court awards and on the issuance of writs of execution to enforce arbitration court orders.

In accordance with [Chapter 27](#) of this Code, economic courts shall handle the following legal matters:

- cases on challenging the validity of arbitration awards on the disputes arising from the course of business or other economic activities;

- cases on issuance of writs of execution to enforce the arbitral court's decision on the disputes arising from the course of business and other economic activities.

Article 31. Jurisdiction of economic courts over legal matters on the recognition and enforcement of the decisions of foreign courts and arbitration courts.

In accordance with [Chapter 28](#) economic courts shall handle legal matters on the recognition and enforcement of the decisions of foreign courts and foreign arbitration courts on the disputes arising from the course of business and other economic activities.

Article 32 Jurisdiction of economic court over special legal matters:

1. Economic courts shall handle the following legal matters:

- bankruptcy matters;

- disputes on founding, restructuring, and liquidation of profit-making organizations as well as of consumers' cooperative societies and public foundations;

- disputes on the state registration refusal, on avoidance of the state registration by sole proprietors and legal entities;

- disputes between a share holder and a joint stock company, disputes between participants of other business partnerships and societies arising from the activities of business partnerships and societies;

- suits on defending one's honor, dignity, and business reputation in the course of business and other economic activities;

- other matters arising from the course of business and other economic activities where the law permits.

2. Legal matters specified in part 1 of this Article shall be handled by the economic court irrespective of whether legal entities, sole proprietors, or other persons and organizations are participants of legal relations resulting in a dispute or a claim.