
THE LAW OF THE KYRGYZ REPUBLIC

Bishkek, July 20, 2015, No. 178

On the Introduction of Amendments and Additions to the Law of the Kyrgyz Republic "On the Protection of Traditional Knowledge"

Article 1.

Introduce to the Law of The Kyrgyz Republic "On the Protection of Traditional Knowledge" (Gazette of Jogorku Kenesh of The Kyrgyz Republic, 2007, No 7-9, p 685) following amendments and supplements:

1. The preamble shall be considered as invalid.
2. Article 1-1 shall be stated as follows:

"Article 1-1. The Law of The Kyrgyz Republic in the field of Traditional Knowledge

Legislation of the Kyrgyz Republic in the field of traditional knowledge consists of the Constitution of the Kyrgyz Republic, the Civil Code of the Kyrgyz Republic, this Law and other normative legal acts, and also entered into due to the law by virtue of international treaties to which the Kyrgyz Republic is a party.

This Law consolidates the main provisions of the state policy in the field of traditional knowledge, as well as legal, economic and social guarantees, including traditional knowledge using genetic resources (hereinafter referred to as "traditional knowledge") aimed at further sustainable development of the country and creating conditions for equitable sharing of benefits from the use of traditional knowledge, which is the historical heritage and heritage of the people of the Kyrgyz Republic. "
3. Article 2 shall be supplemented with the fifth paragraph of the following content:

"the foundation is a non-membership organization established by individuals and / or legal entities on the basis of voluntary property contributions and pursuing social, charitable, cultural, educational or other socially useful purposes. "
4. Article 4 shall be considered as invalid.
5. In Article 6:

part 2 shall be stated as follows:

"The interests of holders of traditional knowledge can be represented both by individuals and legal entities and by their representatives.";

the article shall be supplemented with part 4 of the following content:

"Foreign individuals and legal entities shall enjoy the rights provided for by this Law and other normative legal acts relating to the legal protection of traditional knowledge, as well as by virtue of international treaties to which the Kyrgyz Republic is a party, as well as natural and legal persons of the Kyrgyz Republic Republic. "
6. In Article 7:

In part 4 of the text in official language the word "mutually" shall be excluded;

In part 6 the words "state organs and institutes"
7. In part 7 of Article 8 the words "by authorized organ" shall be excluded.
8. In part 1 of Article 9 the words "to authorized organ" shall be excluded.
9. Article 11 shall be stated as follows:

"Article 11. Registration of traditional knowledge and issuance of certificates

Registration of traditional knowledge and input of information is made on the basis of a positive decision, provided that the fee is paid.

Order of introduction and a list of information on registration or giving the right for use of traditional knowledge to the State Register of traditional knowledge of The Kyrgyz Republic (hereinafter – Register) is assigned by the Government of The Kyrgyz Republic.

By the wish of owners of traditional knowledge, information related to registration of traditional knowledge, introduced to the Register, can be published in the official bulletin in period of 3 months from the date of introduction to the Register. Quantity and content of published information is established by the Government of The Kyrgyz Republic.

Traditional knowledge which published partly or is not being published is kept in confidential regime.

Duty is paid within 2 months from the date of receiving the decision on the registration of traditional knowledge and/or giving the right of use by the applicant.

Applicants in whose name traditional knowledge is registered and / or the right to use traditional knowledge is granted, according to the established procedure, certificates of a prescribed type are issued. The form of the certificate and the composition of the information specified therein shall be established by the Government of the Kyrgyz Republic.

The certificate is issued within two months after publication in the official bulletin. "

10. In Article 12:

Part 1 shall be stated as follows:

“Certificate is valid until the expiration of ten years from the date of submitting of application.”;

In part 6 the words “by the authorized organ” shall be excluded.

11. In Article 14:

In Part 1 the words “, traditional knowledge registered in authorized organ” shall be excluded;

The third sentence of part 2 shall be stated as follows: "The contract is subject to registration, which is carried out subject to payment of the prescribed fee."

12. Article 15 shall be stated as follows:

“Article 15. Duties

Fees are charged for committing legally significant actions related to the registration or granting of the right to use traditional knowledge.

The list of actions for which fees are charged, their amounts and terms of payment, as well as the reasons for exemption from payment of duties, reduction in their amounts and return are established by the Government of the Kyrgyz Republic.

Fees are paid by the applicant, the owner of the certificate or by agreement with them by any individual or legal entity. "

13. In Part 2 of Article 16 the words “under an authorized organ” shall be excluded.

Article 2.

This Law comes into force ten days after the date of its official publication.

Published in the newspaper "Erkin Too" from July 28, 2015 No. 68

The Government of the Kyrgyz Republic shall bring its decisions in compliance with this Law.

**The President of The Kyrgyz
Republic**

A. Atambaev

**Passed by the Jogorku
Kenesh of The Kyrgyz
Republic**

June 24 2015