



On approval of the Rules for recognizing a film as national and issuing a national film certificate

Unofficial translation

Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated March 28, 2019 No. 78. Registered in the Ministry of Justice of the Republic of Kazakhstan on April 3, 2019 No. 18457.

Unofficial translation

In accordance with subparagraph 7) of Article 5 of the Law of the Republic of Kazakhstan "On cinematography", **I HEREBY ORDER:**

Footnote. The preamble is in the wording of the Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated 02.03.2023 No. 64 (shall be enforced ten calendar days after the date of its first official publication).

1. To approve the attached Rules for recognizing a film as national and issuing a national film certificate.

2. The Department of Culture and Art of the Ministry of Culture and Sports of the Republic of Kazakhstan, in the manner prescribed by the legislation of the Republic of Kazakhstan, to ensure:

1) state registration of this order in the Ministry of Justice of the Republic of Kazakhstan;
2) within ten calendar days from the date of the state registration of this order, its sending in electronic form in the Kazakh and Russian languages to the Republican state enterprise on the basis of the right of economic management "Republican Legal Information Center" for official publication and inclusion in the Reference Control Bank of regulatory legal acts of the Republic Kazakhstan;

3) within two working days after the entry into force of this order, its placement on the Internet resource of the Ministry of Culture and Sports of the Republic of Kazakhstan;

4) within two working days after the implementation of the measures provided for in this paragraph, submission of information to the Department of Legal Services of the Ministry of Culture and Sports of the Republic of Kazakhstan on implementation of the measures.

3. The supervising vice minister of culture and sports of the Republic of Kazakhstan shall be authorized to oversee the execution of this order.

4. This order shall come into force ten calendar days after the day of its first official publication.

Minister A

Mukhamediuly

Approved by the order of the
Minister of Culture and Sports of

Rules for recognizing a film as national and issuing a national film certificate Chapter 1. General provisions

1. These Rules for recognizing a film as national and issuing a national film certificate (hereinafter referred to as the Rules) are developed in accordance with subparagraph 7) of Article 5 of the Law of the Republic of Kazakhstan "On cinematography" (hereinafter referred to as the Law) and determine the procedure for recognizing a film as national and issuing a national film certificate.

Footnote. Paragraph 1 - as amended by the Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated 02.03.2023 No. 64 (shall be enforced ten calendar days after the date of its first official publication).

2. Basic concepts used in these Rules:

1) an applicant is an individual or legal entity who has submitted an application for the recognition of a film as a national and obtaining a certificate of a national film;

2) an authorized body – the central executive body responsible for the management and intersectoral coordination in the field of cinematography;

3) a certificate of a national film is a document of the established form certifying the right of an individual or legal entity to the measures of state support provided for by this Law.

Footnote. Paragraph 2 - as amended by the Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated 02.03.2023 No. 64 (shall be enforced ten calendar days after the date of its first official publication).

Chapter 2. Procedure for recognizing a film as national

3. To recognize a film as national, the applicant submits the following documents in Kazakh or Russian to the authorized body:

1) in any form, an application for recognition of a film as a national one addressed to the head of the authorized body. The following information is indicated in the application:

the name of the film;

the country of production of the film;

studio - producer of the film;

the year of the film 's production;

movie format;

timing of the film;

number of episodes of the film;

the genre of the film;

age category of the film;

the authors of the film (the author of the script, the director, the director of photography, the production designer, the author of the musical work) with a copy of their identity documents attached;

film producers;

the language of the film, the languages of dubbing or subtitles, or voice-over translation of the film (if any);

details of the applicant (legal address, for a legal entity – business identification number; for an individual registered as an individual entrepreneur – individual identification number);
date of application and signature of the applicant;

2) a copy of the film corresponding to the technical requirements on any media;

3) certificate of state registration (re-registration) of the producer - legal entity and copies of its constituent documents or a copy of the identity document of the producer – individual entity;

4) copies of contracts concluded with the film crew (directors, cameramen, sound engineers, costume designers, editors, actors – performers of the main roles) and copies of their identity documents;

5) documents confirming the estimated cost of the film and the sources of its financing.

For films that have received state support in the form of financing of film projects claiming to be recognized as national, the documents specified in part one of this paragraph are submitted by the applicant to the authorized body within thirty calendar days after the film is submitted to the State Film Fund.

Footnote. Paragraph 3 - as amended by the Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated 02.03.2023 No. 64 (shall be enforced ten calendar days after the date of its first official publication).

4. Documents submitted in accordance with paragraph 3 of these Rules are subject to review within fifteen working days from the date of their receipt by the authorized body.

If the documents do not comply with paragraph 3 of these Rules, the documents are returned to the applicant without consideration within three working days from the date of their receipt by the authorized body.

If it is established that the applications and the documents attached to it do not comply with the requirements specified in paragraph 3 of these Rules, the applicant, upon their elimination, has the right to resubmit the documents for their consideration within 5 working days from the date of receipt of the return.

Footnote. Paragraph 4 - as amended by the Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated 02.03.2023 No. 64 (shall be enforced ten calendar days after the date of its first official publication).

5. A film is recognized as national if the following grounds are combined:

1) if the film reflects the events of national history, modern life of the Republic of Kazakhstan, is dedicated to universal humanitarian, social and moral problems, events of

world history having socio-cultural significance for the Republic of Kazakhstan, and (or) may contribute to strengthening the image and authority of the Republic of Kazakhstan at the international level;

2) in the production, distribution and screening of films, at least seventy percent of the total amount of work under the estimate is carried out by subjects of cinematographic activity registered in the territory of the Republic of Kazakhstan;

3) the producers of the film are a citizen of the Republic of Kazakhstan and (or) a legal entity registered in the territory of the Republic of Kazakhstan;

4) the composition of the authors of the film (script writer, director of photography, director of photography, production designer, author of a musical work) includes no more than fifty percent of persons who are not citizens of the Republic of Kazakhstan.

Footnote. Paragraph 5 - as amended by the Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated 02.03.2023 No. 64 (shall be enforced ten calendar days after the date of its first official publication).

6. In accordance with the terms of an international treaty ratified by the Republic of Kazakhstan, a film shot jointly with foreign subjects of cinematographic activity may be recognized as national.

Footnote. Paragraph 6 - as amended by the Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated 02.03.2023 No. 64 (shall be enforced ten calendar days after the date of its first official publication).

7. The documents submitted by the applicant within ten working days from the date of receipt by the authorized body are submitted by the authorized body for consideration by the Expert council at the State center for support of national cinema (hereinafter referred to as the Expert council), established in accordance with paragraph 6 of Article 13 of the Law of the Republic of Kazakhstan "On cinematography".

Footnote. Paragraph 7 - as amended by the Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated 02.03.2023 No. 64 (shall be enforced ten calendar days after the date of its first official publication).

8. Based on the results of the consideration of the submitted documents, the Expert Council shall make a decision on recognizing a film as national or on refusing to recognize a film as national, which is documented in a protocol.

9. On the basis of the protocol of the Expert Council on recognition of a film as national within five working days from the day of the meeting of the Expert Council, an order shall be issued by the head of the authorized body or the person performing his duties on recognizing a film as national.

10. A film is not recognized as national if it does not comply with the grounds provided for in paragraph 5 of these Rules.

11. Refusal to recognize a film as national shall be made in writing, with the provision of a justified reason for the refusal, within the time periods specified in part one of paragraph 4 of these Rules.

Chapter 3. Procedure for issuing a national film certificate

12. For a film recognized as national, in accordance with Chapter 2 of these Rules, a national film certificate shall be issued.

13. The issuance of a national film certificate shall be carried out in writing, within the time periods specified in part one of paragraph 4 of these Rules.

14. The issuance of a national film certificate shall be carried out by the authorized body for free, in the form, in accordance with the appendix to these Rules.

Appendix to the Rules for
recognizing a film as national and
issuing a national film certificate
form

National film certificate Ministry of Culture and Sports of the Republic of Kazakhstan

Film title: _____

Country-producer: _____

Studio-producer: _____

Year of production _____

Film format: _____

Film timing: _____

Number of episodes of a film _____

Film genre: _____

Language of film: _____

Film authors

Script writer (s): _____

Stage director (s): _____

Director (s) of photography: _____

Production designer (s): _____

— Author (s) of music: _____

— Producer (s): _____

— Date of issue of a national film certificate: _____

— (surname, name, patronymic (if any) of an authorized person)

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