

On approval of the Rules for the rational use of agricultural land and on amendments and additions to some orders of the Minister of Agriculture of the Republic of Kazakhstan

Unofficial translation

Order of the Minister of Agriculture of the Republic of Kazakhstan dated January 17, 2020, No. 7. Registered with the Ministry of Justice of the Republic of Kazakhstan on January 20, 2020, No. 19893.

Unofficial translation

In accordance with subparagraph 2-1) of paragraph 1 of Article 14 of the Land Code of the Republic of Kazakhstan, **I hereby ORDER:**

Footnote. The preamble - in the wording of the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

1. To approve the attached Rules for the rational use of agricultural land.
2. To make amendments and additions to some orders of the Minister of Agriculture of the Republic of Kazakhstan:

1) in the Order of the Minister of Agriculture of the Republic of Kazakhstan dated July 3, 2019, No. 252 "On approval of the Rules for organizing and monitoring the use of agricultural land provided for running a peasant or farm enterprise, agricultural production" (registered in the State Register of Normative Legal Acts under No. 18997, published on July 18, 2019, in the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan) the following amendment:

The rules for organizing and monitoring the use of agricultural land provided for the conduct of a peasant or farm enterprise, agricultural production (hereinafter referred to as the Rules), approved by the specified order, shall be amended in accordance with Annex 1 to this Order;

2) in the Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan dated April 24, 2017, No. 173 "On approval of the Rules for the rational use of pastures" (registered in the State Register of Normative Legal Acts under No. 15090, published on May 16, 2017, in the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan) the following amendments and additions:

in the Rules for the rational use of pastures, approved by the specified order:

Paragraph 2 shall be stated as follows:

“2. The following basic concepts shall be used in these Rules:

1) web portal for monitoring the use of agricultural land (hereinafter referred to as the Web portal) - an automated information system designed to enter, collect, process, analyze

data on the use of agricultural land obtained by entering the results of systematic observations , ground surveys, researches, inventories, materials of state control over the use and protection of lands, archival data, remote sensing data of lands, information obtained from state information systems and electronic information resources, as well as other information on the quality of land;

2) pasture rotation - a system of periodic and sequential use of pastures and care for them to maintain them in a productive state in accordance with the Plan on Pasture Management and Use;

3) farm animals grazed on pastures (hereinafter referred to as theFarm animals) - cattle, sheep, goats, horses, camels;

4) forage capacity of pastures - productivity of pasture grass stand per unit of pasture area;

5) pasture user - an individual or legal entity having the right to use pastures in accordance with the Law and other regulatory legal acts of the Republic of Kazakhstan;

6) rational use of pastures - the use of fodder resources of pastures, in which their normal state and reproduction are maintained, taking into account environmental features and in compliance with environmental standards (including the maximum allowable load on the total area of pastures);

7) number of the pasture on the web portal - a unique code of the pasture area assigned by the web portal and intended to determine its location (identification);

8) pasture record book - an electronic document generated on a web portal that gives a visual representation of the spatial position and size of the pasture, containing information on pasture rotation, composition, and areas of pasture;

9) distant pastures - pastures that are used for distant pasture farming in areas remote from settlements.";

add paragraph 2-1 as follows:

"2-1. To determine the rational use of pastures, data from monitoring the use of agricultural land provided for running a peasant or farm enterprise, agricultural production shall be used, established by Order of the Minister of Agriculture of the Republic of Kazakhstan dated July 3, 2019, No. 252 (registered in the State Register of Normative Legal Acts under No. 18997).";

paragraphs 3, 4, and 5 shall be stated as follows:

"3. Rational use of pastures shall include the following activities:

1) use of pastures, taking into account pasture rotation and sources of water use;

2) the formation of a record book of pasture

3) ensuring the maximum allowable load on the total area of pastures (hereinafter referred to as the Load rate), approved by Order of the Minister of Agriculture of the Republic of Kazakhstan dated April 14, 2015, No. 3-3/332 "On approval of the maximum allowable load on the total area of pastures" (registered in the State Register of Normative Legal Acts under No. 11064);

4) use of pastures taking into account the calendar schedule;

5) taking measures to prevent the loss of pastures from economic circulation, preventing the overgrowth of weeds and tree-shrub vegetation, as well as littering with household and industrial waste.

4. When using pastures, the local executive body or pasture user shall independently ensure the formation of a pasture record book on the web portal within a month from the date of acquisition of rights to the land plot, as well as the presence of farm animals in an amount not exceeding the Load rate.

5. To ensure the Load rate, the data on the livestock of farm animals, feed capacity of pastures used by the pasture user shall be used.

To calculate the number of livestock farm animals owned by pasture users, the average value shall be taken obtained based on data as of April 1 and October 1 of the respective year according to information from the database for the identification of farm animals.";

paragraph 9 shall be excluded.

3. To recognize as terminated some orders of the Ministry of National Economy of the Republic of Kazakhstan and the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan in accordance with Annex 2 to this Order.

4. The Committee for Land Management of the Ministry of Agriculture of the Republic of Kazakhstan, in the manner prescribed by law, shall ensure:

1) state registration of this Order in the Ministry of Justice of the Republic of Kazakhstan;

2) posting this Order on the Internet resource of the Ministry of Agriculture of the Republic of Kazakhstan.

5. Control over the implementation of this Order shall be entrusted to the supervising Vice Minister of Agriculture of the Republic of Kazakhstan.

6. Fifth, eleventh, twelfth, and nineteenth, twenty-third paragraphs of sub-clause 2) of clause 2 of this Order shall come into effect on 1 January 2021, except for Akmola, Kostanai, East Kazakhstan, and Mangystau regions where these paragraphs shall come into effect in pilot mode.

7. Chapter 3 of the Rules shall be valid until January 1, 2021.

8. This Order shall come into effect from the day of its first official publication.

*Minister of Agriculture of
the Republic of Kazakhstan*

S. Omarov

"AGREED"

Ministry of Finance of the
Republic of Kazakhstan

"AGREED"

Ministry of National Economy of the
Republic of Kazakhstan

"AGREED"

Ministry of Digital Development,
Innovation and Aerospace Industry of the
Republic of Kazakhstan

Approved
by Order of the Minister
of Agriculture of the
Republic of Kazakhstan
dated January 17, 2020, No. 7

Rules for the rational use of agricultural land

Chapter 1. General Provisions

1. These Rules for the rational use of agricultural land (hereinafter referred to as the Rules) shall be developed in accordance with sub-paragraph 2-1) of paragraph 1 of Article 14 of the Land Code of the Republic of Kazakhstan and determine the procedure for the rational use of agricultural land.

Footnote. Paragraph 1 - in the wording of the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 ((shall enter into force upon expiry of ten calendar days after the day of its first official publication).

2. The following concepts shall be used in these Rules:

1) excluded by the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

2) rational use of agricultural land - ensuring the efficient use of land resources by owners of land plots and land users in the production of agricultural products, including avoiding a significant decrease in soil fertility and land reclamation, optimal use of land to obtain the necessary indicators of productivity;

3) degradation of agricultural land - deterioration of the properties of agricultural land as a result of natural and anthropogenic impact, leading to a decrease in the natural and economic significance of the land;

4) crop rotation - scientifically grounded alternation of agricultural crops on a certain land plot in time;

5) agricultural producer - an individual or legal entity that owns or uses the land for agricultural purposes;

6) excluded by the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

7) pasture rotation - a system of periodic and consistent use of pastures and care for them to maintain them in a productive state in accordance with the plan for pasture management and use;

8) farm animals grazed on pastures (hereinafter referred to as the Farm animals) - cattle, sheep, goats, horses, camels;

9) rational use of pastures - the use of fodder resources of pastures, which preserves their normal state and reproduction, taking into account environmental features and in compliance with environmental standards (including the maximum allowable load on the total area of pastures);

10) pasture feed capacity - productivity of pasture grass stand per unit of pasture area;

11) excluded by the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

12) excluded by the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

13) the load rate on the total area of pastures (hereinafter referred to as the Load rate) - the maximum allowable rate of load on the total area of pastures, approved by Order of the Minister of Agriculture of the Republic of Kazakhstan dated April 14, 2015, No. 3-3/332 "On approval of the maximum allowable load rate for the total area of pastures" (registered in the State Register of Normative Legal Acts under No. 11064);

14) field - a treeless, often quite flat, extensive piece of land, the territory of which is used for agricultural purposes;

15) excluded by the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

16) excluded by the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

17) as significant decrease in soil fertility - a decrease in soil fertility indicators, established by comparing the results of the last two agrochemical and (or) agroforestry surveys.

3. To determine the rational use of agricultural land, the data from monitoring the use of agricultural land provided for running a peasant or farm enterprise, agricultural production, obtained in accordance with the Rules for organizing and monitoring the use of agricultural land provided for running a peasant or farm enterprise, agricultural production (hereinafter referred to as the Monitoring Rules) shall be used, approved by Order of the Minister of Agriculture of the Republic of Kazakhstan dated July 3, 2019 No. 252 (registered in the State Register of Normative Legal Acts under No. 18997).

4. Rational use of agricultural land shall include:

1) maintaining and increasing soil fertility (a certain level of content of total humus, nitrogen, mobile phosphorus and exchangeable potassium in the arable horizon);

2) excluded by the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 ((shall enter into force upon expiry of ten calendar days after the day of its first official publication);

3) maintaining and increasing a certain level of productivity of basic agricultural crops;

4) compliance with crop rotation/and use of pastures, taking into account pasture rotation and sources of water use;

5) preservation and improvement of soil fertility and reclamation state;

6) ensuring the optimal load on pastures in the production of livestock products;

7) preventing the disposal of agricultural land from economic circulation, preventing the overgrowing of land with weeds and trees and shrubs, as well as littering with household and industrial waste;

8) prevention of burning of crop residues and by-products of agricultural crops on cultivated areas of agricultural land.

Footnote. Paragraph 4 as amended by the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 ((shall enter into force upon expiry of ten calendar days after the day of its first official publication).

5. To determine the rational use of agricultural land, agricultural producers must have the following documents:

1) statistical data on statistical forms of national statistical observation "Report on crop sowing results" (index 4-sx, frequency once a year), "On harvest of crops" (index 29-sx, frequency once a year), "Report on the state of animal husbandry" (index 24, monthly frequency), approved by the order of the Chairman of the Committee on Statistics of the Ministry of National Economy of the Republic of Kazakhstan dated February 10, 2020 No. 21 "On approval of statistical forms of national statistical observations on statistics of agriculture , forestry, hunting and fishery entities and instructions for filling them" (registered in the Register of State Registration of Regulatory Legal Acts No. 20030);

2) crop rotation plan according to the form according to Annex 1 to these Rules (when using land for crop production);

3) pasture turnover plan according to the form according to Annex 2 to the Rules (when using pastures);

4) Internal land management project.

Footnote. Paragraph 5 - in the wording of the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 ((shall enter into force upon expiry of ten calendar days after the day of its first official publication).

6. Excluded by the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 ((shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Chapter 2. The procedure for the rational use of agricultural land

7. The agricultural producer, when using agricultural land, shall observe crop rotations in accordance with the crop rotation plan, which shall be approved on the basis of the recommendations of scientific organizations issued for public use.

When using pastures, the agricultural producer ensures the availability of farm animals in an amount not less than twenty percent of the Load Rate and not exceeding it.

Footnote. Paragraph 7 - in the wording of the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

8. The crop rotation plan shall be approved by the agricultural producer for the period corresponding to the full crop rotation, depending on the selected crop rotation system. One copy of the approved crop rotation plan shall be sent to the local executive body of the district (city of regional significance) at the location of the land plot.

9. A significant decrease in soil fertility is not allowed for the following indicators:

1) decrease in the total humus content in the arable horizon (0-20 centimeters) by more than five percent, in the average weighted content of easy hydrolysable nitrogen, mobile phosphorus and exchangeable potassium - by more than 20 percent;

2) increase in the area of land with very low and low levels of humus and nutrient supply in accordance with Annex 3 to these Rules, by more than 10 percent;

3) contamination of agricultural land with pesticides and mineral fertilizers is higher than the maximum permissible concentrations;

4) decrease in the thickness of the upper humus horizon as a result of erosion by more than 5 centimeters;

5) increase in the number of toxic salts in the soil layer up to 30 centimeters:

chloride by more than 0.4 percent;

sulfate by more than 0.8 percent;

increase soil alkalinity by more than 5 percent;

6) disposal of a land plot from agricultural use due to overgrowth with weeds (with the number of weeds above the permissible economic threshold of harmfulness) or quarantine vegetation.

10. Agricultural manufacturer shall support crop yields at the level of the average for the area, but at least 85 percent of the district average index.

11. When using agricultural land for animal husbandry purposes, the agricultural producer shall ensure the availability of agricultural animals at the location of pasture land in the amount of:

1) at least 20 percent of the Load rate;

2) not exceeding the Load rate.

Footnote. Paragraph 11 - in the wording of the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 ((shall enter into force upon expiry of ten

calendar days after the day of its first official publication).

Chapter 3 shall be valid until 01.01.2021 in accordance with paragraph 7 of this Order.

Annex 1
to the Rules for the
rational use
of agricultural land
Form
APPROVED
Head

(name of a legal entity or individual)

(surname, name, patronymic (if
any) signature)

" " 20

Crop rotation plan

[illegible]

6 ____ -- hectare s												
7 ____ -- hectare s												
8 ____ -- hectare s												

Annex 2
to the Rules for the
rational use
of agricultural land
Form
APPROVED
Head

(name of a legal entity or
individual)

(surname, name, patronymic (if
any) signature)

" ____ " ____ 20 ____

Pasture rotation plan

Pasture cadastral number	Year of use					
	2017	2018	2019	2020	2021	20---

Example for filling:

Pasture cadastral number	Year of use					
	2017	2018	2019	2020	2021	20---
12-345-789-012: 34	spring	autumn	recreation	summer	spring	autumn
12-345-789-012: 35	summer	spring	autumn	recreation	summer	spring
12-345-789-012: 36	recreation	summer	spring	autumn	recreation	summer
12-345-789-012: 37	autumn	recreation	summer	spring	autumn	recreation

Annex 3
to the Rules of rational
land use
in agriculture

Indicators of humus and food supply

Footnote. Annex 3 - in the wording of the order of the Minister of Agriculture of the Republic of Kazakhstan dated 20.06.2023 No. 237 ((shall enter into force upon expiry of ten calendar days after the day of its first official publication)).

№ r/n	Area	Type of the soil	Humus content, percent			Power supply, milligram/kilogram		
			easily hydrolyzable nitrogen					
			very low, less	low	optimal	very low, less	low	optimal
1	2	3	4	5	6	7	8	9
1.	Abai	Mountain black soils	5,7	6,5	7,5	<30	55	55-60
		Dark-chestnut	2,1	2,4	2,9	<25	36	36-50
		Chestnut	1,6	1,9	2,2	<25	32	32-50
		Light brown	1,2	1,4	1,7	<25	31	31-50
		Foothill black soils	3,8	4,2	4,8	<30	45	45-60
		Foothill dark chestnut	2,5	2,8	3,3	<25	38	38-50
		Foothill light chestnut	1,2	1,4	1,7	<25	33	33-50
		Mountain browns	3,7	4,1	4,9	<30	48	48-60
2.	Akmola	Common black soil	3,8	4,3	4,8	<30	48	48-60
		Southern black soil	2,8	3,1	3,6	<30	45	45-60
		Dark-chestnut	2,1	2,4	2,9	<25	38	38-50
		Chestnut	1,6	1,9	2,2	<25	32	32-50
		Light brown	1,2	1,4	1,7	<25	31	31-50
3.	Aktyubinsk	Southern black soil	2,8	3,1	3,6	<30	44	44-60
		Chestnut	1,6	1,9	2,2	<25	32	32-50
		Dark-chestnut	2,1	2,4	2,9	<25	38	38-50
		Common grey soil	0,8	1,0	1,2	<25	32	32-50
		Meadow and grey soil	1,5	1,7	2,0	<25	31	31-50

4.	Almaty	Foothill dark chestnut	2,5	2,8	3,3	<25	34	34-50
		Meadow and marsh	1,4	1,7	2,0	<25	31	31-50
		Chestnut	1,6	1,9	2,2	<25	32	32-50
		Light grey soil	0,6	0,7	0,9	<25	31	31-50
		Foothill light chestnut	1,2	1,4	1,7	<25	33	33-50
		Gray-brown	0,5	0,7	0,8	25	31	31-50
		Foothill black soils	3,8	4,2	4,8	<30	49	49-60
5.	Atyrau	Light brown	1,2	1,4	1,7	<25	35	35-50
		Floodplain meadow	1,4	1,6	1,9	<25	33	33-50
		Meadow and marsh	1,4	1,7	2,0	<25	31	31-50
		Brown	0,8	1,0	1,2	<25	34	34-50
		Gray-brown	0,5	0,7	0,8	<25	36	36-50
6.	East Kazakhstan	Mountain black soils	5,7	6,5	7,5	<30	55	55-60
		Dark-chestnut	2,1	2,4	2,9	<25	36	36-50
		Chestnut	1,6	1,9	2,2	<25	32	32-50
		Light brown	1,2	1,4	1,7	<25	31	31-50
		Foothill black soils	3,8	4,2	4,8	<30	45	45-60
		Foothill dark chestnut	2,5	2,8	3,3	<25	38	38-50
		Foothill light chestnut	1,2	1,4	1,7	<25	33	33-50
		Mountain browns	3,7	4,1	4,9	<30	48	48-60
		Southern black soils	2,8	3,1	3,6	<30	42	42-60
		Light grey soil	0,6	0,7	0,9	<25	31	31-50
		Common grey soil	0,8	1,0	1,2	<25	32	32-50

7.	Zhambyl	Foothill dark chestnut	2,5	2,8	3,3	<25	35	35-50
		Foothill light chestnut	1,2	1,4	1,7	<25	32	32-50
		Meadow and grey soil	1,5	1,7	2,0	<25	35	35-50
		Mountain browns	3,7	4,1	4,9	<30	48	48-60
8.	Zhetisu	Common grey soil	0,8	1,0	1,2	<25	32	32-50
		Meadow and sierozemic	1,5	1,7	2,0	<25	31	31-50
		Foothill dark chestnut	2,5	2,8	3,3	<25	34	34-50
		Meadow and marsh	1,4	1,7	2,0	<25	31	31-50
		Light serosema	0,6	0,7	0,9	<25	31	31-50
		Gray-brown	0,5	0,7	0,8	<25	31	31-50
		Foothill light chestnut	1,2	1,4	1,7	<25	33	33-50
9.	West Kazakhstan	Foothill black soils	3,8	4,2	4,8	<30	49	49-60
		Southern black soil	2,8	3,1	3,6	<30	45	45-60
		Dark-chestnut	2,1	2,4	2,9	<25	38	38-50
10.	Karaganda	Chestnut	1,6	1,9	2,2	<25	32	32-50
		Common black soil	3,8	4,3	4,8	<30	45	45-60
		Southern black soil	2,8	3,1	3,6	<30	44	44-60
		Dark-chestnut	2,1	2,4	2,9	<25	35	35-50
		Chestnut	1,6	1,9	2,2	<25	32	32-50
11.	Kostanay	Light brown	1,2	1,4	1,7	<25	31	31-50
		Common black soil	3,8	4,3	4,8	<30	48	48-60
		Southern black soil	2,8	3,1	3,6	<30	45	45-60

		Dark-chestnut	2,1	2,4	2,9	<25	38	38-50
		Chestnut	1,6	1,9	2,2	<25	33	33-50
12.	Kyzylorda	Meadow and marsh	1,4	1,7	2,0	<25	35	35-50
		Gray-brown	0,5	0,7	0,8	<25	31	31-50
		Floodplain meadow	1,4	1,6	1,9	<25	34	34-50
		Light grey soil	0,6	0,7	0,9	<25	31	31-50
13.	Mangystau	Brown	0,8	1,0	1,2	<25	31	31-50
		Gray-brown	0,5	0,7	0,8	<25	35	35-50
		Meadow and marsh	1,4	1,7	2,0	<25	33	33-50
14.	Pavlodar	Southern black soil	2,8	3,1	3,6	<30	45	45-60
		Chestnut	2,1	2,4	2,9	<25	33	33-50
		Dark-chestnut	1,6	1,9	2,2	<25	37	37-50
		Light brown	1,2	1,4	1,7	<25	33	33-50
15.	North Kazakhstan	Common black soil	3,8	4,3	4,8	<30	48	48-60
		Southern black soil	2,8	3,1	3,6	<30	42	42-60
		Dark-chestnut	2,1	2,4	2,9	<25	37	37-50
16.	Turkestan region	Common grey soil	0,8	1,0	1,2	<25	32	32-50
		Light grey soil	0,6	0,7	0,9	<25	31	31-50
		Foothill dark chestnut	2,5	2,8	3,3	<25	38	38-50
		Gray-brown	0,5	0,7	0,8	<25	31	31-50
		Gray-brown	1,2	1,4	1,7	<25	33	33-50
		Meadow and grey soil	1,5	1,7	2,0	<25	34	34-50
17.	Ulytau	Chestnut	1,6	1,9	2,2	<25	32	32-50
		Brown	0,8	1,0	1,2	<25	31	31-50
18.	Astana City	Dark-chestnut	1,6	1,9	2,2	<25	41	41-60

19.	city of Almaty	Mountain black soils	5,7	6,5	7,5	<25	55	55-60
		Dark-chest nut	2,1	2,4	2,9	<25	41	41-60
		Light brown	1,2	1,4	1,7	<25	31	31-50
		Meadow and grey soil	1,5	1,7	2,0	<25	35	35-50
20	Shymkent City	Common grey soil	0,8	1,0	1,2	<25	32	32-50

Continuation of the table

№ r/n	Area	Power supply, milligram/kilogram					
		mobile phosphorus			subsurface potassium		
		very low, less than	low	optimal	very low, less than	low	optimal
1	2	10	11	12	13	14	15
1.	Abai	<10	16	17-30	<100	260	>410
		<10	14	15-30	<100	230	>410
		<10	13	14-30	<100	220	>410
		<10	12	13-30	<100	210	>410
		<10	16	17-30	<100	250	>410
		<10	15	16-30	<100	230	>410
		<10	14	15-30	<100	210	>410
		<10	14	15-30	<100	240	>410
2.	Akmola	<10	18	19-30	<100	240	>410
		<10	15	16-30	<100	250	>410
		<10	14	15-30	<100	230	>410
		<10	13	14-30	<100	220	>410
		<10	12	13-30	<100	220	>410
3.	Aktyubinsk	<10	15	16-30	<100	220	>410
		<10	13	14-30	<100	210	>410
		<10	14	15-30	<100	210	>410
4.	Almaty	<10	16	17-30	<100	240	>410
		<10	15	16-30	<100	240	>410
		<10	16	17-30	<100	260	>410
		<10	15	16-30	<100	240	>410
		<10	13	14-30	<100	220	>410
		<10	14	15-30	<100	210	>410
		<10	14	15-30	<100	220	>410
		<10	15	16-30	<100	210	>410
		<10	15	16-30	<100	250	>410
		<10	11	12-30	<110	240	>410

5.	Atyrau	<10	15	16-30	<110	270	>410
		<10	15	16-30	<110	260	>410
		<10	14	15-30	<110	240	>410
		<10	14	15-30	<110	230	>410
6.	E a s t Kazakhstan	<10	16	17-30	<100	260	>410
		<10	14	15-30	<100	230	>410
		<10	13	14-30	<100	220	>410
		<10	12	13-30	<100	210	>410
		<10	16	17-30	<100	250	>410
		<10	15	16-30	<100	230	>410
		<10	14	15-30	<100	210	>410
		<10	14	15-30	<100	240	>410
		<10	14	15-30	<100	250	>410
7.	Shambyl	<10	13	14-30	<100	210	>410
		<10	15	16-30	<100	220	>410
		<10	14	15-30	<100	220	>410
		<10	13	14-30	<100	210	>410
		<10	14	15-30	<100	220	>410
		<10	14	15-30	<100	250	>410
8.	Zhetisu	<10	16	17-30	<100	240	>410
		<10	15	16-30	<100	240	>410
		<10	16	17-30	<100	260	>410
		<10	15	16-30	<100	240	>410
		<10	14	15-30	<100	210	>410
		<10	14	15-30	<100	210	>410
		<10	14	15-30	<100	220	>410
		<10	15	16-30	<100	250	>410
9.	W e s t Kazakhstan	<10	15	16-30	<100	240	>410
		<10	14	15-30	<100	220	>410
		<10	12	13-30	<100	210	>410
10.	Karaganda	<10	14	15-30	<100	240	>410
		<10	14	15-30	<100	230	>410
		<10	13	16-30	<100	220	>410
		<10	12	13-30	<100	215	>410
		<10	11	12-30	<100	210	>410
11.	Kostanay	<10	16	17-30	<100	250	>410
		<10	15	16-30	<100	240	>410
		<10	14	15-30	<100	220	>410
		<10	13	14-30	<100	210	>410
12.	Kyzylorda	<10	15	16-30	<100	201	>410
		<10	14	15-30	<100	210	>410
		<10	14	15-30	<100	215	>410

		<10	12	13-30	<100	210	>410
13.	Mangystau	<10	14	15-30	<110	240	>410
		<10	14	15-30	<110	230	>410
		<10	15	16-30	<110	260	>410
14.	Pavlodar	<10	15	16-30	<100	240	>410
		<10	12	13-30	<100	220	>410
		<10	14	15-30	<100	230	>410
15.	North Kazakhstan	<10	11	12-30	<100	210	>410
		<10	17	18-30	<100	250	>410
		<10	15	16-30	<100	240	>410
16.	Turkestan region	<10	14	15-30	<100	230	>410
		<10	16	17-30	<100	220	>410
		<10	14	15-30	<100	210	>410
		<10	14	15-30	<100	220	>410
		<10	14	15-30	<100	210	>410
		<10	14	15-30	<100	210	>410
17.	Ulytau	<10	16	17-30	<100	220	>410
		<10	12	13-30	<100	215	>410
18.	Astana City	<10	14	15-30	<110	240	>410
		<10	14	15-30	<110	250	>410
19.	city of Almaty	<10	16	17-30	<110	260	>410
		<10	14	15-30	<110	260	>410
		<10	11	12-30	<110	240	>410
		<10	15	16-30	<110	250	>410
20	Shymkent City	<10	16	17-30	<100	220	>410

Annex 1
to the Order of the Minister of
Agriculture of the Republic of Kazakhstan

dated January 17, 2020, No. 7

Approved
by Order of the Minister
of Agriculture of the
Republic of Kazakhstan
dated July 3, 2019, No. 252

Rules for the organization and monitoring of the use of agricultural land provided for the conduct of a peasant or farm enterprise, agricultural production

Chapter 1. General Provisions

1. These Rules for the organization and monitoring of the use of agricultural land provided for the conduct of a peasant or farm enterprise, agricultural production (hereinafter

referred to as the Rules) have been developed in accordance with subparagraph 2-5) of paragraph 1 of Article 14 of the Land Code of the Republic of Kazakhstan dated June 20, 2003 (hereinafter referred to as the Code) and shall determine the procedure for organizing and monitoring of the use of agricultural land provided for the conduct of a peasant or farm enterprise, agricultural production (hereinafter referred to as the Monitoring of land use).

The action of subparagraph 7) of paragraph 2 and of Chapter 2 of this Regulation shall come into effect on 1 January 2021, except Akmola, Kostanai, East Kazakhstan and Mangistau regions where this subparagraph shall come into effect in a pilot mode.

2. The following basic concepts shall be used in these Rules:

1) authorized body in the field of veterinary medicine - the central executive body that exercises leadership in the field of veterinary medicine, as well as, within the limits of its powers, cross-sectoral coordination;

2) authorized body for land relations - a structural subdivision of local executive bodies of a region, a city of republican significance, a capital, a district, a city of regional significance, performing functions in the field of land relations;

3) local executive body (akimat) - a collegial executive body headed by the akim of the region, city of republican significance and the capital, district (city of regional significance), exercising, within its competence, local government and self-government in the relevant territory;

4) bodies of local self-government - bodies that, in accordance with the Law of the Republic of Kazakhstan dated January 23, 2001, "On local government and self-government in the Republic of Kazakhstan" are entrusted with the functions of resolving issues of local importance;

5) public councils - consultative, advisory, supervisory bodies formed by ministries, bodies directly subordinated and accountable to the President of the Republic of Kazakhstan, as well as local government bodies on issues of their competence, with the exception of state bodies specified in part two of paragraph 1 of Article 1 of the Law Of the Republic of Kazakhstan dated November 2, 2015 "On public councils", together with non-profit organizations, citizens;

6) temporary land users (hereinafter referred to as Land users) - entities whose land use rights are limited to a certain period;

7) web portal for monitoring the use of agricultural land (hereinafter referred to as the Web portal) - an automated information system designed for entering, collecting, processing, analyzing data on the use of agricultural land obtained by entering the results of systematic observations, ground surveys, researches, inventories, materials of state control over the use and protection of lands, archival data, remote sensing data of lands, information obtained from state information systems and electronic information resources, as well as other information on the quality of land;

8) state revenue body - a state body, within its competence, providing for the receipts of taxes and payments to the budget, customs regulation in the Republic of Kazakhstan, powers to prevent, identify, suppress and disclose administrative offenses attributed by the legislation of the Republic of Kazakhstan to the jurisdiction of this body, as well as performing other powers stipulated by the legislation of the Republic of Kazakhstan.

3. Cases of non-use of a land plot provided for running a peasant or farm enterprise, agricultural production for its intended purpose shall include:

1) on plough land - failure to carry out work on the processing of a land plot for sowing agricultural crops;

2) on hayfields - the lack of haymaking on the land plot, the presence of its overgrowth with weeds, shrubs, small forests and other signs of grassland degradation;

3) on pastures - the absence of farm animals for grazing or their presence in an amount of less than twenty percent of the maximum permissible load on the total area of pastures (hereinafter referred to as the Load Rate), approved by Order of the Minister of Agriculture of the Republic of Kazakhstan dated April 14, 2015 No. 3-3/332 "On approval of the maximum permissible load on the total area of pastures" (registered in the State Register of Normative Legal Acts under No. 11064), and (or) the absence of haymaking for harvesting forage;

4) on perennial plantations - failure to carry out maintenance work, harvesting and stubbing decommissioned perennial plantations.

4. Cases of irrational use of agricultural land (except for hayfields, long-term plantations and non-production sites: roads, forest plantations, rivers, lakes) shall not include confirmation of crops, and the absence of farm animals for grazing at the land user for two years or their presence in less than twenty percent of the Load rate.

Monitoring regarding the rational use of land shall be carried out in accordance with the requirements of the Rules for the rational use of agricultural land and the Rules for the rational use of pastures.

Chapter 2. The procedure for organizing and monitoring of land use using information technology

5. Monitoring of land use through the use of remote sensing data shall be carried out on the web portal. The services of the web portal shall be procured by local executive bodies in the manner prescribed by the laws on public procurement and informatization.

Herewith, the functioning of the web portal and its provision with relevant data for remote sensing of lands, data from state information systems and electronic information resources containing information on land users shall be carried out by the provider of the web portal services.

6. When monitoring the use and irrational use of land on the web portal, the authorized body for land relations shall analyze the results obtained using the following data:

remote sensing of lands;

information databases;

annual land balance of districts (cities of regional significance);

bases of identification of farm animals to obtain information on the availability of livestock of farm animals belonging to the land user.

To calculate the number of farm animals belonging to a land user, the average indicator is taken, obtained based on data as of April 1 and October 1 of the corresponding year, according to information from the database on the identification of farm animals.

In the event of discrepancies between the data in the automated information system of the state land cadastre, land balance and the actual use of land according to the data of remote sensing of lands, the authorized body for land relations shall send a request for clarification of the data to the State Corporation, which maintains the state land cadastre.

7. The web portal shall carry out:

1) analysis of agricultural lands for formation of books on the record of fields/pastures on them;

2) analysis of the completeness of the field record books for entering data on crop rotations for the previous three, current and next years;

3) comparative analysis of field record books data with earth remote sensing data for the presence/absence of crops for the last two years;

4) analysis of data from pasture record books for compliance with the Load rate.

8. The local executive body, based on the monitoring results, quarterly forms on the web portal information on unused agricultural land plots provided for the introduction of a peasant or farm economy, agricultural production in accordance with Annex 1 to these Rules, shall send written notifications to the land user and take measures on these land plots in the manner determined by land legislation, after which shall send information to the territorial body of state revenues.

These periods shall not include the time during which the land plot could not be used for its intended purpose due to force majeure.

Chapter 3. The procedure for organizing and monitoring of land use without the use of information technology

9. The organization and work of the monitoring shall be carried out by the authorized body on land relations based on concluded contracts of temporary paid land use (rent), with the participation of representatives of community councils, non-governmental organizations in the field of agro-industrial complex, National Chamber of Entrepreneurs of the Republic of Kazakhstan and local authorities by collection, processing and analysis of information on the subject of monitoring agricultural land plots provided for the conduct of a peasant or farm economy, agricultural production, and the development of appropriate recommendations and conclusions.

Based on the results of the concluded agreement for temporary paid land use (lease) of an agricultural land plot for running a peasant or farm enterprise or agricultural production,

monitoring of land use shall be carried out, including the fulfillment of the winner's obligations on land use:

- 1) the first five years of the lease annually;
- 2) in subsequent periods: on irrigated agricultural land - every three years, on non-irrigated agricultural land - every five years.

During monitoring, the authorized body for land relations shall:

- 1) on an ongoing basis, keep records of agricultural land plots provided for running a peasant or farm enterprise, agricultural production based on concluded agreements for temporary paid land use (lease) in the form in accordance with Annex 2 to these Rules;
- 2) annually, before January 15 of the corresponding calendar year, formulate and approve a list of agricultural land plots provided for running a peasant or farm enterprise, agricultural production based on concluded temporary paid land use (lease) contracts and subject to monitoring (hereinafter referred to as the List) in the following calendar year in the form in accordance with Annex 3 to these Rules;
- 3) before 15 December of the relevant calendar year provide accommodation for approval of the list on their official flax Internet resource of the local executive body of the region, city of republican significance, the capital, district, city of regional significance and send it to the Public Council, non-governmental organizations in the field of agriculture, The National Chamber of Entrepreneurs of the Republic of Kazakhstan and local government bodies for familiarization;
- 4) form a list of representatives of the public council, non-governmental organizations in the field of the agro-industrial complex, the National Chamber of Entrepreneurs of the Republic of Kazakhstan and local government bodies for participation in the monitoring process by January 1 of the next calendar year.

10. When forming the List in the corresponding calendar year, the land plots shall be included which were provided from December 1 of the last year to December 1 of the calendar year, according to which the List shall be formed in the form in accordance with Annex 3 to these Rules, except for land plots whose lease term has expired or at the time of the formation of the list, less than one year remains before its expiration.

11. To carry out monitoring, the authorized body for land relations, by December 15 of the corresponding calendar year, shall send requests for the land plots included in the List to:

- 1) authorized body in the field of veterinary medicine to obtain information on the presence of livestock of farm animals belonging to a land user from the database for the identification of farm animals in the form in accordance with Annex 4 to these Rules;
- 2) agriculture department of the local executive body of regions, cities of republican significance, districts and cities of regional significance to obtain information on the land user carrying out work on the processing and sowing of agricultural crops, including sowing of perennial grasses, and about the presence of clean vapors in the form in accordance with Annex 5 to these Rules;

3) authorized body for control over the use and protection of land or a local executive body of a district, a city of regional significance in accordance with the competence to obtain information on the inspections carried out on the land plots included in the List;

4) lessees of land plots to obtain information on the fulfillment of their obligations on the use of land, with the attachment of the relevant supporting documents.

If necessary, in order to clarify and (or) establish the necessary information and supplement them for collecting information on such land plots, the authorized body for land relations shall send requests to concerned state bodies and organizations.

12. The term for submitting the requested information to the authorized body for land relations shall be 15 (fifteen) calendar days from the date of receipt of the corresponding request.

13. The authorized body for land relations, after collecting and processing the information received, as well as information on the use of plough land provided by the land user in accordance with the contract for temporary paid land use (lease), shall analyze it with the participation of representatives of the Public Counsel, the National Chamber of Entrepreneurs of the Republic of Kazakhstan and local authorities, on the basis of which it produces:

1) drawing up, by March 1 of the calendar year following the monitoring of the calendar year, a report on the results of monitoring of agricultural land plots provided for the conduct of a peasant or farm enterprise, agricultural production, in the form in accordance with Annex 6 to these Rules, with conclusions and recommendations on each land plot;

2) posting, by April 1 of the calendar year following the monitoring, a report on the monitoring results on the official Internet resource of the local executive body of a district, a city of regional significance and sending it to the public council, non-governmental organizations in the field of the agro-industrial complex, the National Chamber of Entrepreneurs of the Republic Kazakhstan and local governments for information.

14. In the case of establishing in the course of monitoring the fact of non-use or use of a land plot, in violation of the legislation of the Republic of Kazakhstan, within two years in a row from the moment of the initial detection of the fact of non-use, then such a land plot shall be subject to compulsory seizure in the manner prescribed by Article 94 of the Code.

These periods shall not include the time during which the land plot could not be used for its intended purpose due to force majeure.

15. The positive results of the monitoring of land use, carried out with the participation of representatives of the public council, non-governmental organizations in the field of the agro-industrial complex and local self-government bodies, shall be the basis for the adoption by the local executive body of the district, the city of the regional significance of the decision to extend the term of the contract of temporary paid land use (lease) a land plot for agricultural purposes for running a peasant or farm enterprise or agricultural production.

and the monitoring
of land use
for agricultural purposes
for conducting a country or
farm management,
agricultural production
Form

Information on unused agricultural land plots provided for the introduction of a peasant or farm enterprise, agricultural production

No.	Name of a legal entity or last name, first name, patronymic (if any) of an individual (owner of a land plot)	Individual identification number/business identification number of the land user	Cadastral number and location of the land plot	The total area of the land plot, hectare	Date of registration of rights to land	Field/pasture number	Field/pasture area, hectare	Information on not using land (the type of violation)	Delivery date	The amount of the increased tax rate
1	2	3	4	5	6	7	8	9	10	11

Signed with an electronic digital signature (hereinafter referred to as EDS) of an official exercising state control over the use and protection of land at _____ " ____ " _____ 20____:

Data from EDS

Date and time of signing the EDS

Annex 2
to the Rules for organizing
and monitoring of the
use of
agricultural land
for running a
peasant or farm
enterprise, agricultural production
Form

Accounting for agricultural land plots provided for running a peasant or farm enterprise, agricultural production on the basis of concluded temporary paid land use (lease) agreements

hectare

Land user name (Individual)	Individual					Of them:	Date of expiry of the land lease
						Including	

No.	of a legal entity or last name, first name, patronymic (if any) of a n individual)	identification number / business identification number of the land user	Number and date of the land lease agreement	Landcadastral number	Landarea	Plough land	irrigated	rainfed	Pasture	Haymaking	others	
1	2	3	4	5	6	7	8	9	10	11	12	13

Annex 3
to the Rules for organizing
and monitoring of the
use of
agricultural land
for running a peasant or
farm enterprise,
agricultural production
Form

The list of agricultural land plots provided for running a peasant or farm enterprise, agricultural production based on concluded contracts for temporary paid land use (lease) and subject to monitoring in _____

hectare												
No.	Land user (name of a legal entity or surname, name, patronymic (if any) of a n individual)	Individual identification number / business identification number of the land user	Number and date of the land lease agreement	Landcadastral number	Landarea	Of them:					Date of expiry of the land lease	
						Plough land	Including		Pasture	Haymaking	Others	
							irrigated	rainfed				
1	2	3	4	5	6	7	8	9	10	11	12	13

Annex 4
to the Rules for organizing
and monitoring of the
use of

agricultural land
for running a peasant or
farm enterprise,
agricultural production
Form

Information on the availability of livestock of farm animals belonging to the land user from the database for the identification of farm animals

No.	Land user (name of a legal entity or last name, first name, patronymic (if any) of an individual)	Individual identification number/business identification number of the land user	The total number of farm animals in conventional heads	Of them:							
				Cattle	Conversion factor per conventional head	horses	Conversion factor per conventional head	Sheep, goats	Conversion factor per conventional head	camels	Transfer coefficient on conditional head
1	2	3	4	5	6	7	8	9	10	11	12

Annex 5
to the Rules for organizing
and monitoring of the
use of
agricultural land
for running a peasant
or farm enterprise,
agricultural production
Form

**Information on the work carried out by the land user for the processing and sowing of agricultural crops,
including the sowing of perennial grasses and the presence of clean fallows**

No.	Land user (name of a legal entity or surname, name, patronymic (if any) of an individual)	Land cadastral number	The total area of agricultural land, hectare	Of which plough land, hectare		
				sown		pure steam
				agricultural crops	perennial herbs	
1	2	3	4	5	6	7

Annex 6
to the Rules for organizing
and monitoring of the
use of

agricultural land
for running a peasant
or farm enterprise,
agricultural production
Form

Report on the results of monitoring of agricultural land plots provided for the conduct of a peasant or farm enterprise, agricultural production

No.	Land user (name of a legal entity or last name, first name, patronymic (if any) of an individual)	Individual identification number/business identification number of the land user	Number and date of the land lease agreement	Land cadastral number	Land area, hectare	Including arable land, hectare				
						Total	Sown with agricultural crops	Sown with perennial grasses	Pure steppes	not used for its intended purpose
1	2	3	4	5	6	7	8	9	10	11

Including pastures	Number of farm animals				Percentage of the maximum allowable load on the total area of pastures	Area of unused pastures, hectare	Conclusion on monitoring results	Recommendations
	Cattle	horses	Sheep, goats	camels				
12	13	14	15	16	17	18	19	20

Annex 2
to the Order of the Minister
of Agriculture of the
Republic of Kazakhstan
dated January 17, 2020, No. 7

The list of some terminated orders of the Ministry of National Economy of the Republic of Kazakhstan and the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan

1. Order of the Acting Minister of National Economy of the Republic of Kazakhstan dated March 27, 2015 No. 268 "On approval of the Rules for the rational use of agricultural land" (registered in the State Register of Normative Legal Acts under No. 11549, published on July 22, 2015 in the Legal Information System "Adilet").

2. Paragraph 9 of the list of orders in the sphere of land relations, in which amendments approved by Order of the Minister of National Economy of the Republic of Kazakhstan dated December 22, 2015 № 782 (registered in the State Register of Normative Legal Acts under No. 13093, published on 26 February 2016 in the Legal Information System “Adilet”).

3. Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan dated November 14, 2017 No. 449 "On amendments to the Order of the Acting Minister of National Economy of the Republic of Kazakhstan dated March 27, 2015, No. 268 “On approval of the Rules for the rational use of land agricultural purposes” (registered in the State Register of Normative Legal Acts under No.16081, published on December 25, 2017 in the Reference Control Bank of normative legal acts of the Republic).