

On approval of the Rules for the use of special means and service weapons by state inspectors for protection of animal world and inspectors of specialized organizations for protection of animal world, as well as the use of service weapons by hunters

Unofficial translation

Resolution № 670 of the Government of the Republic of Kazakhstan dated May 24, 2012

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In accordance with subparagraph 11 of Article 8 of the Law of the Republic of Kazakhstan dated July 9, 2004 “On protection, reproduction and use of animal world” the Government of the Republic of Kazakhstan **hereby RESOLVED as follows**

Footnote. Preamble in the wording of the resolution of the Government of the Republic of Kazakhstan dated 24.02.2016 № 106 (shall be enforced from the day of its first official publication)

1. To approve the attached Rules for the use of special means and service weapons by state inspectors for protection of animal world and inspectors of specialized organizations for protection of animal world, as well as the use of service weapons by hunters.

2. This resolution shall be enforced upon expiry of ten calendar days after its first official publication.

Prime Minister of the Republic of Kazakhstan

K. Massimov

Approved
by resolution № 670
of the Government
of the Republic of Kazakhstan
dated May 24, 2012

Rules for the use of special means and service weapons by state inspectors for protection of animal world and inspectors of specialized organizations for protection of animal world, as well as the use of service weapons by hunters

1. General provisions

1. These Rules for the use of special means and service weapons by state inspectors for protection of animal world and inspectors of specialized organizations for protection of animal world, as well as the use of service weapons by hunters (hereinafter referred to as the Rules) shall define the procedure for the use of special means and service weapons by state inspectors for the protection of the animal world, inspectors of specialized organizations for the protection of the animal world (hereinafter referred to as the inspector), as well as the

use of service weapons by huntsmen directly protecting the animal world, having permits to carry service weapons.

2. Special means and service weapons by inspectors and huntsmen shall be used in the direct protection of the animal world and the execution of their duties.

3. The animal protection inspector shall be provided by the following special means:

- 1) handcuffs (BR, BR-S);
- 2) rubber stick (special);
- 3) vest for protection against mechanical effects;
- 4) flashing lamp;
- 5) device for forced stop of motor vehicles ("Ezh-M").

4. Special equipment shall be stored in specially equipped premises, separate from service weapons, in metal boxes (cabinets) with wall thickness of not less than 3 millimeters, with a reliable locking device.

5. The inspector and the huntsman shall be provided with service weapons in accordance with the Rules for the circulation of arms and ammunition thereto in the Republic of Kazakhstan, approved by the resolution of the Government of the Republic of Kazakhstan dated August 3, 2000 No. 1176.

6. During the long absence of the inspector or the huntsman at work (holiday, illness), service weapons shall be handed over for storage at the place of issuance of a permit for the right to carry to the internal affairs bodies.

2. Procedure for the use of special means and service weapons by inspectors and huntsmen

7. The inspectors and the huntsmen in protected areas shall decide on the use of special means, their type and intensity of use, taking into account the emerging situation, the nature of the offence and the identity of the offender, as well as the tactical and technical characteristics of special means. Persons entitled to use special means, acting individually, shall make such a decision independently.

8. Special means used by inspectors for:

1) detention of offenders if they shall resist inspectors executing the duties assigned to them in accordance with the requirements of the Law of the Republic of Kazakhstan dated July 9, 2004 "On protection, reproduction and use of the animal world" (hereinafter referred to as the Law), as well as for their delivery to the internal affairs bodies;

2) forced stopping of vehicles when inspectors shall be prevented from executing the duties assigned by the Law.

9. Service weapons by inspectors and huntsmen shall be used to:

1) repelling the armed attack of persons whose actions directly shall threaten the life and health of inspectors or huntsmen in the execution of duties established by the Law;

2) stopping vehicles in protected areas by damaging them, if the driver does not comply with the requirements of inspectors and huntsmen established by the Law, shall endanger the life and health of citizens;

3) protection against attack of wild animals and giving alarms or calling assistance.

10. When using special means and service weapons, the following conditions shall be observed:

(1) warning (shouting, warning shot upwards) of the intention to use service weapons, except in cases referred to in subparagraph 1) of paragraph 9 of these Rules;

2) provision of sufficient time to comply with the requirements of the inspector or the huntsman, except where delay in the use of service weapons shall create an immediate danger to the life and health of the inspector, the huntsman or may have serious consequences;

3) exercise restraint in situations where the use of service weapons shall be inevitable on the part of the inspector or the huntsman, acting on the basis of the prevailing situation and the objective to be achieved, minimizing the possibility of its use;

4) provision of pre-medical care, and if necessary, delivery of the person injured by the use of special means and service weapons to the health care institution;

5) taking the necessary measures to ensure the safety of surrounding citizens.

11. It is prohibited to use special means and service weapons against women, minors, persons with obvious signs of disability, except in the case of an armed attack or a clear threat to the life and health of an inspector or a huntsman.

12. Every case of use of service weapons and special means resulting in bodily harm, as well as death or serious consequences, shall be immediately (within 24 hours) informed orally and in writing by the heads (direct head), the prosecutor's office and the internal affairs bodies at the place where the offence was committed.