



On approval of the Rules for provision of networks and communications by communications service providers in a state of emergency

Unofficial translation

Decree of the Government of the Republic of Kazakhstan № 1489 dated December 31, 2013 .

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In accordance with Paragraph 2 of Article 14 - 1 of the Law of the Republic of Kazakhstan dated February 8, 2003 “On state of emergency” the Government of the Republic of Kazakhstan **hereby DECREES AS FOLLOWS:**

1. Approve the attached Rules for provision of networks and communications by communications service providers in a state of emergency.

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

The Prime Minister of the Republic of Kazakhstan

S. Akhmetov

Approved by
the Decree of the Government
of the Republic of Kazakhstan
No.1489 dated December 31, 2013

Rules for provision of networks and communications by communications service providers in a state of emergency 1. General Provisions

1. These Rules for provision of networks and communications by communications service providers in state of emergency shall be developed in accordance with Paragraph 2 of Article 14-1 of the Law of the Republic of Kazakhstan dated February 8, 2003 “On state of emergency” and determine the procedure for provision of networks and communications by communications service providers when using their networks and communications in a state of emergency.

2. State authorities and special government authorities created by the President of the Republic of Kazakhstan in a state of emergency shall be given the opportunity to use, as well as suspend, communication networks activities and means of communication, with the exception of government communications, networks and communications of internal affairs agencies, national security, military administration authorities, State Guard Services, an authorized agency for civil protection.

Сноска. Пункт 2 в редакции постановления Правительства РК от 02.04.2015 № 173 (вводится в действие по истечении десяти календарных дней после дня его первого официального опубликования).

2. The procedure for provision of networks and means of communication by communications service providers in a state of emergency

3. Priority use of networks and means of communication shall be carried out in order to ensure the possibility of taking urgent measures to eliminate the consequences of a state of emergency, ensuring tasks in the state administration, national security, defense and law enforcement in a state of emergency.

4. Types, quantity and terms of provision of networks, means and services of communication to state authorities and special government authorities taking part in ensuring the state of emergency shall be determined by the heads of state authorities and special government authorities.

By this, communications service providers, owners of networks and means of communication, if technically possible, provide these state authorities and special government authorities with communication channels, communication lines, means of communication, including terminal equipment, communication services with priority over other consumers in order of priority upon receipt of applications from them without preliminary conclusion of contracts.

5. The provision and refund of communications shall be carried out under the acceptance certificate, which is signed by authorized representatives of communications service providers, state authorities and special government authorities.

6. Communication service providers, owners of networks and means of communication in a state of emergency shall grant absolute priority to all communications related to the safety of life of people on the sea, land, in air, outer space, urgent measures for defense, security and law enforcement in the Republic of Kazakhstan, as well as emergency communication.

7. Communication service providers, owners of networks and means of communication, in accordance with the Laws of the Republic of Kazakhstan dated July 5, 2004 “On Communications” and dated September 15, 1994 “On Enforcement Operations Act” shall provide the authorities carrying out enforcement operations act with organizational and technical possibility of conducting enforcement operations on all communication networks in a state of emergency, take measures to prevent the disclosure of forms and methods for carrying out these measures.

8. Expenditure incurred by communication service providers when using their networks and means of communication in a state of emergency shall be reimbursed in the manner established by the legislation of the Republic of Kazakhstan.