

On approval of the Rules for adoption of regulatory legal acts in the field of occupational health and safety by the relevant authorized bodies

Invalidated Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated December 31, 2015 No . 1182. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 09/01/2023 No. 753

Unofficial translation

Footnote. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 09/01/2023 No. 753 (effective after the day of its first official publication).

In accordance with subparagraph 6) of article 15 of the Labour Code of the Republic of Kazakhstan dated November 23, 2015, the Government of the Republic of Kazakhstan HEREBY DECREES:

1. To approve the attached Rules for adoption of regulatory legal acts in the field of occupational health and safety by the relevant authorized bodies.

2. To recognized invalid:

1) the decree of the Government of the Republic of Kazakhstan dated August 21, 2007 no. 721 “On approval of the Rules for adoption of regulatory legal acts in the field of occupational health and safety by the relevant authorized bodies” (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2007, no. 31, art. 338);

2) paragraph 6 of amendments and supplements, which are made to certain decisions of the Government of the Republic of Kazakhstan, approved by decree no .1115 of the Government of the Republic of Kazakhstan dated October 18, 2013 “On amendments and supplements to certain decisions of the Government of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2013, no. 60, art. 827).

3. This decree shall come into force from January 1, 2016 and shall be subject to official publication.

*Prime Minister
of the Republic of Kazakhstan*

K. Massimov

Approved
by decree no.1182 of the
Government
of the Republic of Kazakhstan
dated December 31, 2015

Rules for adoption of regulatory legal acts in the field of occupational health and safety by the relevant authorized bodies

1. General provisions

1. These Rules for adoption of regulatory legal acts in the field of occupational health and safety by the relevant authorized bodies (hereinafter referred to as the Rules) have been developed in accordance with the Labour Code of the Republic of Kazakhstan dated November 23, 2015 and shall determine the procedure for adoption of regulatory legal acts in occupational health and safety by the relevant authorized bodies.

2. The regulatory legal acts in occupational health and safety shall meet the following requirements:

1) establishing the priority of life and health of workers in relation to the results of production activities;

2) ensure the rights of workers to working conditions that meet the requirements of occupational health and safety;

3) establish uniform requirements in occupational health and safety;

4) differentiate, in accordance with the labour legislation of the Republic of Kazakhstan in the field of occupational health and safety, rights and obligations between employees, officials and the head of the organization;

5) provide coordinated actions in the field of occupational health and safety between the authorized state labour authority, local labour inspection body, representatives of employers and workers;

6) establish ergonomic, organizational, technical, technological, sanitary-epidemiological, psycho-physiological and medical standards;

7) Comply with legislative and other superior regulatory legal acts in the field of occupational health and safety, including international treaties ratified by the Republic of Kazakhstan.

3. Requirements on occupational health and safety shall be established by the regulatory legal acts of the Republic of Kazakhstan and shall contain rules, procedure and regulations, aimed at preservation of life and health of employees in the course of their labour activities.

2. Procedure for adoption of regulatory legal acts in the field of occupation health and safety

4. The development of draft regulatory legal acts in the field of occupational health and safety shall be carried out by the relevant authorized state bodies in accordance with their competence.

5. The state body developing a regulatory legal act in the field of occupational health and safety shall create a working group for the preparation of a project or shall assign its preparation to one of its departments, which performs the functions of a working group.

The composition of a working group, depending on assignation, shall include the representatives of concerned state bodies, public associations, scientific institutions.

6. A state body may entrust the preparation of a draft regulatory legal act to state bodies and organizations within its jurisdiction or order its preparation on a contractual basis, including through a tender, to specialists, scientific institutions, individual scientists or their teams. Developed draft regulatory legal acts on occupational health and safety shall be submitted to the working group for consideration.

7. When developing, the regulatory legal acts in occupational health and safety shall contain:

- 1) general requirements of occupational safety;
- 2) occupational safety requirements before the beginning of works;
- 3) occupational safety requirements during works;
- 4) occupational safety requirements in emergency situations;
- 5) occupational safety requirements in the end of works;
- 6) requirements to production (technological) processes;
- 7) requirements to production premises;
- 8) requirements to production sites (for processes performed outside the premises);
- 9) requirements to raw materials, semi-finished products and semi-finished products;
- 10) requirements to production equipment;
- 11) requirements to placement of production equipment and organization of work places;
- 12) requirements to methods of storage and transportation of raw materials, intermediate products, semi-finished products, finished products and waste products;
- 13) mode of work and rest of workers;
- 14) requirements to professional selection and verification of workers' knowledge on occupational health and safety;
- 15) requirements to provide workers in the workplace with special clothing and other means of individual and (or) collective protection;
- 16) requirements to the use of protective means;
- 17) requirements to provide the employees with sanitary and amenity facilities.

8. A regulatory legal act in the field of occupational health and safety may contain additional requirements in accordance with the current legislation.

9. The working group after the development of draft regulatory legal acts in the field of occupational health and safety shall submit them for approval to the appropriate authorized state body.

10. Regulatory legal acts in the field of occupational health and safety shall be approved by the relevant authorized state bodies in coordination with the authorized state body for labour and other interested state bodies.

Regulatory legal acts shall be developed and adopted subject to the requirements of the Law of the Republic of Kazakhstan “ON regulatory legal acts”.