



On some issues of the ministries of national economy and agriculture of the Republic of Kazakhstan

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated May 18, 2016 No. 295.

Unofficial translation

In accordance with Article 24 of the Constitutional Law of the Republic of Kazakhstan of December 18, 1995 “On the Government of the Republic of Kazakhstan”, the Government of the Republic of Kazakhstan ORDERS:

1. To reorganize the Committee for Construction, Housing and Communal Services and Land Management of the Ministry of National Economy of the Republic of Kazakhstan by separating from it the Land Management Committee of the Ministry of Agriculture of the Republic of Kazakhstan.

2. Rename:

1) the Committee for Construction, Housing and Communal Services and Land Management of the Ministry of National Economy of the Republic of Kazakhstan to the Committee for Construction and Housing and Communal Services of the Ministry of National Economy of the Republic of Kazakhstan;

2) subordinate republican state enterprises of the Committee for Construction, Housing and Communal Services and Land Management of the Ministry of National Economy of the Republic of Kazakhstan in accordance with Appendices 1 and 2 to this order.

3. To determine the Land Management Committee of the Ministry of Agriculture of the Republic of Kazakhstan the authorized body for managing the relevant industry (sphere) of state management in relation to republican state enterprises specified in Appendix 1 to this order.

4. To approve the attached amendments and additions entered on certain orders of the Government of the Republic of Kazakhstan (hereinafter - the amendments and additions).

5. In accordance with the procedure established by law, the central executive bodies of the Republic of Kazakhstan shall take other measures arising from this order.

6. This order shall be enforced from the date of its signing.

*Prime Minister
of the Republic of Kazakhstan*

K. Massimov

Appendix 1
to Order No. 295
of the Government
of the Republic of Kazakhstan
dated May 18, 2016

List of renamed jurisdictional republican state enterprises of the Committee for Construction, Housing and Communal services and Land Management Resources of the Ministry of National Economy of the Republic of Kazakhstan

1. The Republican state enterprise “State Institute of Agricultural Aero Photogeodetic Surveying (GISHAGI)” of the Committee for Construction, Housing and Communal Services and Land Management of the Ministry of National Economy of the Republic of Kazakhstan to the Republican state enterprise “State Institute of Agricultural Aero Photogeodetic Surveying (GISHAGI)” of the Land Management Committee of the Ministry of Agriculture of the Republic of Kazakhstan.

2. Republican state-owned public enterprise Kazgeodesia of the Committee for Construction, Housing and Communal Services and Land Management of the Ministry of National Economy of the Republic of Kazakhstan to the republican state-owned public enterprise Kazgeodesia of the Land Management Committee of the Ministry of Agriculture of the Republic of Kazakhstan.

3. Republican state-owned public enterprise "National Cartographic and Geodesic Fund" of the Committee for Construction, Housing and Communal Services and Land Management of the Ministry of National Economy of the Republic of Kazakhstan to the Republican state-owned public enterprise "National Cartographic and Geodesic Fund" of the Land Management Committee of the Ministry of Agriculture of the Republic of Kazakhstan.

Appendix 2
to Order No. 295
of the Government
of the Republic of Kazakhstan
of May 18, 2016

List of renamed jurisdictional republican state enterprises of the Committee for Construction, Housing and Communal services and Land Management Resources of the Ministry of National Economy of the Republic of Kazakhstan

1. Republican state enterprise with the right of economic management "State non-departmental expertise of projects" (RSE "Gosexpertiza") of the Committee for construction, housing and communal services and land management resources of the Ministry of National Economy of the

Republic of Kazakhstan to the republican state enterprise with the right of economic management “state non-departmental expertise of projects” (RSE “Gosexpertiza”) of the Committee for construction, housing and communal services and land management resources of the Ministry of National Economy of the Republic of Kazakhstan.

2. The Republican state enterprise with the right of economic management "Republican center of state town planning and cadastre" of the Committee for construction, housing and

communal services and land management resources of the Ministry of National Economy of the Republic of Kazakhstan to the Republican State Enterprise with the right of economic management “Republican center of state town planning and cadastre” of the Committee for construction, housing and communal services of the Ministry of National Economy of the Republic of Kazakhstan.

Approved by
Order No. 295
of the Government
of the Republic of Kazakhstan
of May 18, 2016

Amendments and additions entered on some orders of the Government of the Republic of Kazakhstan

1. In Decree No. 659 of the Government of the Republic of Kazakhstan dated May 27, 1999 “On the transfer of rights of possession and use of state blocks of shares and state stakes in organizations, held in Republican ownership”

in the list of state blocks of shares and state stakes in organizations, held in republican ownership, the possession and use of which are transferred to branch ministries and other state bodies:

the heading of the section “to the Committee for Construction, Housing and Communal Services and Land Management of the Ministry of National Economy of the Republic of Kazakhstan” shall be amended as follows:

“To the Committee for Construction and Housing and Communal Services of the Ministry of National Economy of the Republic of Kazakhstan.”

2. In Order No. 310 of the Government of the Republic of Kazakhstan of April 6, 2005 “Some issues of the Ministry of Agriculture of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan No. 14, 2005, art. 168):

in the Regulation on the Ministry of Agriculture of the Republic of Kazakhstan, approved by the said order:

Paragraph 1 shall be amended as follows:

“1. The Ministry of Agriculture of the Republic of Kazakhstan - the central executive body performing management in the field of agro-industrial complex, water economy, fisheries, forestry and hunting, land resources, geodesy and cartography, and also, within the limits provided for by the legislation, cross-sectoral coordination of state bodies in the field of activity related to its competence (hereinafter - regulated sphere).”;

paragraph 2 shall be supplemented with subparagraph 5) to the effect:

“5) state institution “Land Management Committee of the Ministry of Agriculture of the Republic of Kazakhstan.””;

Paragraph 14 shall be amended as follows:

“14. The mission of the Ministry of Agriculture of the Republic of Kazakhstan – creation of conditions for increasing competitiveness of the agro-industrial complex, sustainable development of water economy, fisheries, forestry and hunting, the field of geodesy and cartography, land resources management by effective formation, coordination and implementation of the state policy.”;

Paragraph 15 shall be supplemented with subparagraphs 11-1) and 11-2) to the effect:

“11-1) formation of state policy in the field of ensuring rational and efficient land management;

11-2) formation of state policy in development of geodesy and cartography branch;”;

Paragraph 16 shall be supplemented with subparagraphs 434-4), 434-5), 434-6), 434-7), 434-8), 434-9), 434-10), 434-11), 434-12), 434 -13), 434-14), 434-15), 434-16), 434-17), 434 -18), 434-19), 434-20), 434-21), 434-22), 434 -23) to the effect:

“434-4) develops and approves the rules of land reservation;

434-5) approves application forms, conclusions of coordinating bodies, the act of selecting a land plot, the land cadastral plan when providing land for construction of facilities within the boundaries of a settlement;

434-6) approves the forms of identification documents on the right of ownership of the land plot and the right to land use;

434-7) generalizes the practice of applying land legislation and improves it;

434-8) develops and approves branch incentive system;

434-9) conducts expert examination of projects and schemes of national importance affecting the land use and protection issues;

434-10) approves the forms of the passport of agricultural land plots;

434-11) establishes the structure, composition, content and forms of land cadastral documentation;

434-12) develops rules of performing state control and supervision in the field of geodesy and cartography;

434-13) coordinates a land management project for the allocation of lands of a specially protected natural territory of republican significance;

434-14) coordinates proposals of the local executive body of the oblast, city of republican status, the capital on the provision of agricultural land to foreigners, stateless persons and foreign legal entities in the cases provided for in paragraph 1 of Article 24 and paragraph 5 of Article 37 of the Land Code of the Republic of Kazakhstan;

434-15) approves instructions, provisions and rules governing the order of production, recording, storage, reproduction and use of data and materials from geodetic and cartographic works, aerospace surveys with regard to security interests of the Republic of Kazakhstan;

434-16) approves the list of topographic, geodetic and cartographic works carried out at the republican budget expense;

434-17) approves regulatory legal acts establishing requirements for private business entities in the field of geodesy and cartography;

434-18) approves the rules for the formation, collection, storage and use of documents of the National Cartographic and Geodetic Fund of the Republic of Kazakhstan;

434-19) approves the rules of protection, demolition or re-laying (relocation) of geodetic points;

434-20) approves the order of maintaining the state land cadastre;

434-21) approves the rules of providing land occupied by territorial waters for construction of artificial structures;

434-22) approves the rules for granting rights to land plots for individual housing construction;

434-23) determines the procedure for monitoring land and the use of its data;”;

in paragraph 17:

subparagraph 1) shall be supplemented with the seventh paragraph as follows:

"regulation of land relations;";

subparagraph 397) shall be amended as follows:

“397) considers cases of administrative infractions in the field of forest legislation of the Republic of Kazakhstan, legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife, specially protected natural territories, land legislation, as well as geodesy and cartography within the competence;”;

subparagraphs 411-1), 411-2), 411-3), 411-4), 411-5), 411-6), 411-7), 411-8), 411-9), 411-10), 411-11), 411-12), 411-13), 411-14), 411-15), 411-16), 411-17), 411-18), 411-19), 411-20), 411-21), 411-22), 411-23), 411-24), 411-25), 411-26), 411-27), 411-28), 411-29), 411-30), 411-31), 411-32), 411-33), 411-34) shall be supplemented as follows:

“411-1) interacts with central and local executive bodies on issues of regulation of land relations;

411-2) prepares draft legal acts of the Government of the Republic of Kazakhstan on provision and withdrawal of land, transfer of land from one category to another, that are within its competence;

411-3) organizes land monitoring;

411-4) organizes maintenance of the state land cadastre and compilation of the land balance of the Republic of Kazakhstan on the basis of data from the balances of lands of oblasts, city of republican status, the capital;

411-5) coordinates activity of the subjects of geodetic and cartographic activities;

411-6) develops draft instructions, norms and rules governing the procedure for the production, recording, storage, reproduction and use of data and materials for geodetic and cartographic works, aerospace surveys taking with regard to security interests of the Republic of Kazakhstan;

411-7) issues permits for demolition or re-laying (relocation) of survey points;

411-8) maintains duty informational map with imaging on it of changes in borders between administrative-territorial units, as well as changes in terrain and names of geographical objects;

411-9) organizes performance of geodetic and cartographic works of the state, special and (or) industry;

411-10) forms and maintains the National Cartographic and Geodesic Fund;

411-11) issues information to the subjects of geodetic and cartographic activity on the geodetic and cartographical exploration maturity of the terrain in the areas of the planned work;

411-12) carries out activities to provide uniformity and accuracy of geodetic measurements in accordance with the legislation of the Republic of Kazakhstan;

411-13) exercises state control over correctness of the state land cadastre and land monitoring;

411-14) interacts with local executive bodies of oblasts, cities of Astana and Almaty on issues of identification and return to state ownership of lands that are not used or used in violation of the legislation of the Republic of Kazakhstan;

411-15) issues binding instructions on elimination of revealed violations of land legislation, as well as legislation in the field of geodesy and cartography within the competence;

411-16) prepares and files lawsuits on the issues referred to in subparagraph 4) of paragraph 1 of Article 148 of the Land Code of the Republic of Kazakhstan;

411-17) exercises state control over geodetic and cartographic activities;

411-18) exercises state control over the use and protection of land;

411-19) introduces requirements to eliminate identified violations in the organization and implementation of geodetic and cartographic works, also in concentration, recording, storage, use and implementation of geodetic and cartographic materials and data obtained as a result of these works or aerospace surveys, within the competence;

411-20) suspends geodetic and cartographic work in case of violation of the legislation of the Republic of Kazakhstan in the field of geodesy and cartography within the competence;

411-21) maintains records of geodetic points and control over of their safety;

411-22) provides information on land users and land plots contained in the state land cadastre to the state revenue authorities in the manner established by the legislation of the Republic of Kazakhstan;

411-23) maintains the register of entities that served notification on the start of geodetic and cartographic activities;

411-24) forms and maintains a register of persons from whom land plots are forcibly withdrawn;

411-25) registers, keeps records and issues permits for aerial survey works;

411-26) performs metrological control and control of geodetic and cartographic equipment, instruments and tools;

411-27) coordinates materials on conversion of irrigated arable land to non-irrigated types of land;

411-28) sets terms for return of materials and data from the National Cartographic and Geodesic Fund of the Republic of Kazakhstan;

411-29) carries out geodetic and cartographic activities in the interests of defense and national security of the Republic of Kazakhstan according to mutually agreed work plans with the Ministry of Defense of the Republic of Kazakhstan;

411-30) supervises correct imaging of the State border of the Republic of Kazakhstan and the boundaries of the administrative-territorial units on the location and their imaging on cartographic materials;

411-31) coordinates design, construction and placement of new objects (buildings, structures, their complexes and communications) on water bodies and (or) water protection zones (except water protection strips), as well as reconstruction (expansion, modernization, technical re-equipment, re-profiling) of existing facilities built before assigning the land plots occupied by them to water protection zones and strips or other specially protected natural territories;

411-32) coordinates environmental requirements in the use of land resources, forest and other resources of the flora and fauna;

411-33) exercises control over legality of decisions made by authorized bodies of oblasts, cities of republican status, the capital, districts, cities of oblast subordination in the field of land relations regulation at the request of individuals and legal entities;

411-34) approves prices of topographic-geodetic and cartographic works produced by republican state-owned public enterprises;”;

in the section "List of organizations under the jurisdiction of the Ministry of Agriculture of the Republic of Kazakhstan and its departments":

section 1 “Republican state enterprises” shall be supplemented with paragraphs 21, 22, 23 to the effect:

"21. Republican State Enterprise "State Institute of Agricultural Aerial and Photogeodetic Surveys(GISHAGI)" of the Land Management Committee under the Ministry of Agriculture of the Republic of Kazakhstan.

22. Republican state-owned enterprise Kazgeodesia of the Land Management Committee under the Ministry of Agriculture of the Republic of Kazakhstan.

23. The Republican State Owned Public Enterprise “National Cartographic and Geodesic Fund” of the Land Management Committee under the Ministry of Agriculture of the Republic of Kazakhstan. ”

3. In the Decree No. 339 of the Government of the Republic of Kazakhstan of April 15, 2008 “On approval of the limits in the staff numbers of ministries and other central executive

bodies, subject to the numbers of their territorial bodies and their subordinated state institutions”:

in the limits of the staff numbers of ministries and other central executive bodies, subject to the numbers of their territorial bodies and their subordinated state institutions, approved by the said decree:

in section 4:

line:

4	Ministry of National Economy of the Republic of Kazakhstan, taking into account its territorial bodies and subordinated state institutions, including:	10728
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shall be read as follows:

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4	Ministry of National Economy of the Republic of Kazakhstan, taking into account its territorial bodies and subordinated state institutions, including:	10681
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In section 8:

Line:

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8	Ministry of National Economy of the Republic of Kazakhstan, taking into account its territorial bodies and subordinated state institutions, including:	9517
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shall be read as follows:

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8	Ministry of National Economy of the Republic of Kazakhstan, taking into account its territorial bodies and subordinated state institutions, including:	9564
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4. In Order No. 1011 of the Government of the Republic of Kazakhstan of September 24, 2014 “Issues of the Ministry of National Economy of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan, No. 59-60, 2014, art. 555):

in the Regulation on the Ministry of National Economy of the Republic of Kazakhstan, approved by the said order:

subparagraph 2) of paragraph 1 shall be amended as follows:

“2) regional development, development of local self-government, development and support of private entrepreneurship, self-regulation, architectural, town planning and construction activities, housing relations and public utilities, state regulation in the field of water and sanitation, electricity, heat and gas within boundaries (limits) of populated localities; ”;

subparagraph 2) of paragraph 2 shall be amended as follows:

“2) The Committee for Construction and Housing and Communal Services of the Ministry of National Economy of the Republic of Kazakhstan;”;

in paragraph 15 "Tasks":
subparagraphs 19), 20) shall be deleted;
in paragraph 16 "Functions of the central office":
subparagraphs 209), 210-1), 210-2), 210-3), 211), 212), 213), 214), 215), 216), 217), 218)
, 219), 220) shall be excluded;
subparagraph 225) shall be amended as follows:
"225) determination of the need for human resources in the architectural, town planning
and construction activities, housing and public utilities;"
subparagraphs 306), 307), 308), 309), 311), 312), 313), 314) shall be excluded;
in paragraph 17 "Functions of departments":
subparagraphs 32), 33), 34), 35), 36), 37), 38), 39), 40), 41), 42), 43), 44), 45), 47), 48),
49), 50), 52), 53), 54), 55), 56), 57), 58), 59), 60), 61), 61-1), 62), 63), 64), 65), 66), 67), 68)
, 69), 70), 71), 72), 266-37) shall be excluded;
section "List of organizations under the jurisdiction of the Committee for Construction,
Housing and Communal Services and Land Management of the Ministry of National
Economy of the Republic of Kazakhstan" shall be revised in accordance with the appendix to
these amendments and additions.

Appendix
to amendments and additions
on some orders of the Government
of the Republic of Kazakhstan

List of organizations under the jurisdiction of the Committee for Construction and Housing and Communal Services of the Ministry of National Economy of the Republic of Kazakhstan

1. Republican state enterprise with the right of economic management "State non-departmental expertise of projects" (RSE "Gosexpertiza").
2. Republican state enterprise with the right of economic management "Republican Center for State Urban Planning and Cadastre."
3. Joint-stock company Kazakh Vodokanalproekt.
4. Joint-stock company "Kazakh research and design institute of construction and architecture."
5. Joint-stock company "Kazakhstan Center for modernization and development of housing and communal services."
6. Joint Stock Company "Fund for Development of Housing and Communal Services".

