

On approval of the Rules for repeated crossing of the State border of the Republic of Kazakhstan outside the allocated air corridors without passing border, customs (in terms of customs operations related to the arrival (departure) of ships) and other types of control for Kazakhstan aircraft carrying people, cargos and goods from the territory of the Republic of Kazakhstan to artificial islands, installations and structures, floating drilling rigs, including floating hotels located in the water space over the continental shelf, or from artificial islands, rigs and structures, floating drilling rigs, including floating hotels, to the territory of the Republic of Kazakhstan

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated December 2, 2016 № 761.

Unofficial translation

In accordance with paragraph 4 of Article 17 of the Law of the Republic of Kazakhstan dated January 16, 2013 On State Border of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan hereby **ORDERS**:

1. To approve the attached Rules for repeated crossing of the State border of the Republic of Kazakhstan outside the allocated air corridors without passing border, customs (in terms of customs operations related to the arrival (departure) of ships) and other types of control for Kazakhstan aircraft carrying people, cargos and goods from the territory of the Republic of Kazakhstan to artificial islands, installations and structures, floating drilling rigs, including floating hotels located in the water space over the continental shelf, or from artificial islands, rigs and structures, floating drilling rigs, including floating hotels, to the territory of the Republic of Kazakhstan.

2. This resolution shall be enforced upon expiry of twenty-one calendar days after the date of its first official publication.

*Prime Minister
of the Republic of Kazakhstan*

B. Sagintayev

Approved
by order No. 761 of the Government
of the Republic of Kazakhstan
dated December 2, 2016

Rules for repeated crossing of the State border of the Republic of Kazakhstan outside the allocated air corridors without passing border, customs (in terms of customs operations related to the arrival (departure) of ships) and other types of control for Kazakhstan aircraft carrying people, cargos and goods from the territory of the Republic of Kazakhstan to artificial islands, installations and

structures, floating drilling rigs, including floating hotels located in the water space over the continental shelf, or from artificial islands, rigs and structures, floating drilling rigs, including floating hotels, to the territory of the Republic of Kazakhstan

Footnote. The Rules as reworded by the Decree of the Government of the Republic of Kazakhstan dated 28.10.2019 No. 804 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1. These Rules for repeated crossing of the State border of the Republic of Kazakhstan outside the allocated air corridors without passing border, customs (in terms of customs operations related to the arrival (departure) of ships) and other types of control for Kazakhstan aircraft carrying people, cargos and goods from the territory of the Republic of Kazakhstan to artificial islands, installations and structures, floating drilling rigs, including floating hotels located in the water space over the continental shelf, or from artificial islands, rigs and structures, floating drilling rigs, including floating hotels, to the territory of the Republic of Kazakhstan (hereinafter - the Rules) were developed in accordance with paragraph 4 of Article 17 of the Law of the Republic of Kazakhstan dated January 16, 2013 " On State Border of the Republic Kazakhstan "(hereinafter - the Law) and define the procedure for repeated crossing of the State border of the Republic of Kazakhstan outside the allocated air corridors without passing the border, customs (in terms of customs operations related to the arrival (departure) of aircraft) and other types of control for Kazakhstani aircraft , carrying people, cargos and goods from the territory of the Republic of Kazakhstan to artificial islands, installations and structures, floating drilling rigs, including floating hotels located in the water the space above the continental shelf, or from artificial islands, installations and structures, floating drilling rigs, including floating hotels, to the territory of the Republic of Kazakhstan.

These Rules shall apply to Kazakhstan aircraft engaged in subsoil use operations on the continental shelf of the Republic of Kazakhstan, which have received permit to repeatedly cross the State border of the Republic of Kazakhstan (hereinafter - permit) issued by the Border Service of the National Security Committee of the Republic of Kazakhstan (hereinafter - the Border Service).

2. Kazakhstan aircraft carrying people, cargos and goods from the territory of the Republic of Kazakhstan to artificial islands, installations and structures, floating drilling rigs, including floating hotels located in the water space over the continental shelf, or from artificial islands, installations and structures, floating drilling rigs, including floating hotels, to the territory of the Republic of Kazakhstan (hereinafter - aircraft), when repeatedly crossing the State border of the Republic of Kazakhstan outside the allocated air corridors do not pass the border, customs (in the part of customs operations related to the arrival (departure) of the aircraft) and other types of control.

In relation to these aircraft, officials of the Border Service shall exercise control in accordance with the Rules of control over Kazakhstan and foreign aircraft and Kazakhstan aircraft engaged in subsoil use operations on the contract territory located on the continental shelf of the Republic of Kazakhstan.

3. Flights of aircraft carrying people, cargos and goods from the territory of the Republic of Kazakhstan to artificial islands, installations and structures, floating drilling rigs, including floating hotels located in the water space over the continental shelf, or from artificial islands, installations and structures, floating drilling rigs, including floating hotels, on the territory of the Republic of Kazakhstan, shall be performed in agreement with the authorized civil and state aviation bodies in accordance with the legislation of the Republic of Kazakhstan in the air space use.

4. Cargos and goods transported by aircraft involved in subsoil use operations on the continental shelf of the Republic of Kazakhstan shall be brought to the territory of the Republic of Kazakhstan in compliance with the requirements of the customs legislation of the Customs Union and the Republic of Kazakhstan.

Movement to the continental shelf of cargos and goods imported to the territory of the Republic of Kazakhstan with observance of requirements of the customs legislation of the Customs Union and the Republic of Kazakhstan, from the territory of the Republic of Kazakhstan shall be performed without customs and other types of control.

Passengers carried by the aircraft shall undergo control in accordance with the list of passengers provided by the aircraft operator - an individual entrepreneur or legal entity that manages the aircraft, on which the Border service officer shall make a note of passed control.

5. Before the aircraft departure to the airspace over the continental shelf, but no later than twenty-four hours in advance, the aircraft operator - an individual entrepreneur or legal entity who manages the aircraft planning departure to the airspace over the continental shelf of the Republic Kazakhstan, or aircraft commander (a flight crew member) shall verbally, by any means of communication, notify the military unit of the Border Service, in whose responsibility area the stationing site is situated, of the aircraft departure readiness.

In the event of the planned departure cancellation, the aircraft operator - an individual entrepreneur or legal entity in charge of the aircraft, or the aircraft commander (a flight crew member) shall verbally by any means of communication notify the military unit of the Border Service, in whose responsibility area the stationing site is situated, of the departure cancellation, no later than four hours before the intended departure.

6. The aircraft departure to the airspace over the continental shelf shall be made after on-board control of the aircraft performed by the Border Service officers.

7. When in the airspace over the continental shelf, in accordance with the permit, the following requirements shall be observed:

1) in the event of failure of technical means of control providing constant automatic transmission of information about the aircraft location, the aircraft commander (a flight crew

member) shall report the malfunction causes to the military unit of the Border Service and air traffic control authorities in the manner established by the legislation on the air space use;

If it is not possible to eliminate the causes that led to the failure of technical means of control providing constant automatic transmission of information about the aircraft location, the aircraft commander (a flight crew member) shall notify the military unit of the Border Service and the air traffic control authorities in the manner established by the legislation on airspace use, and return to the stationing site to eliminate the problem.

2) at the border officers' request, aircraft commander (a flight crew member) shall provide information on the aircraft location and other necessary data related to the repeated crossing of the State border of the Republic of Kazakhstan by the aircraft.

8. Before the aircraft arrival at the stationing site, not later than four hours in advance, the individual entrepreneur or legal entity in charge of the aircraft, or the aircraft commander (a flight crew member) shall verbally, by any means of communication, notify about it the military unit of the Border service, on whose responsibility area the stationing site is situated.

9. Disembarkation of the aircraft crew members, people, unloading (loading) of any cargos and goods shall be carried out after completion of control by the Border Service officers.