



On approval of the Rules of border, customs and other types of control during passenger traffic by rail performed en route

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated November 2, 2017 No. 707.

Unofficial translation

In accordance with subparagraph 10-3) of article 55 of the Law of the Republic of Kazakhstan dated January 16, 2013 On the State Border of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan hereby RESOLVES:

1. To approve the attached Rules of border, customs and other types of control during passenger traffic by rail performed en route.

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

*Prime Minister
of the Republic of Kazakhstan*

B. Sagintayev

Approved
by Order No. 707
of the Government
of the Republic of Kazakhstan
dated November 2, 2017

Rules

of border, customs and other types of control during passenger traffic by rail performed en route

Chapter 1. General Provisions

1. These Rules of border, customs and other types of control during passenger traffic by rail performed en route (hereinafter - the Rules) are developed in accordance with subparagraph 10-3) of article 55 of the Law of the Republic of Kazakhstan dated January 16, 2013 On State Border of the Republic of Kazakhstan (hereinafter referred to as the Law) and govern the procedure for conducting border, customs and other types of control provided for by the Law (hereinafter - state control) during passenger traffic by rail transport performed en route, also actions of the administration of railway stations and rail vehicles' crews during the state control of passenger trains on international routes (hereinafter - trains), performed en route.

2. Border, customs and other types of control during passenger traffic by rail shall be performed in accordance with the regulations of the Entrepreneurial Code and the legislation

of the Republic of Kazakhstan in the border, customs, transport, sanitary-quarantine, veterinary and phytosanitary control.

3. The following concepts shall be used in these Rules:

- 1) passenger - an individual having a travel document (ticket) and traveling on a train;
- 2) carrier - a person performing carriages of goods or passengers, baggage, cargo baggage, postal items and that is indicated in the carriage documents, owning the rolling stock, including traction vehicles, on the property right or on other legal grounds.

Chapter 2. Procedure for conducting border, customs and other types of control during passenger traffic by rail performed en route

4. State inspection during passenger traffic by rail en route, shall be performed by border control units, state revenue bodies and units of other types of state supervision provided for by the Law (hereinafter -inspection bodies) starting from railway stations, certain other places where controlling bodies' officers boarded, (hereinafter - control start station) to the checkpoint or the state border line.

5. The sequence and duration of the main control operations performed by the inspection bodies during international passenger carriages by rail on each railway section, proceeding from its features, are determined by standard state border pass organization schemes for persons, vehicles, freights and goods at checkpoints, approved by the National Security Committee of the Republic of Kazakhstan (hereinafter - the pass organization scheme).

6. The inspection bodies and the carrier shall take coordinated actions to minimize the state control time and prevent unjustified delays in the train movement.

7. The running time of the train shall enable the state control end before arriving at the railway station, a certain other destination, or at the checkpoint, or the state border line, where the pass organization scheme provides for departure of the control authorities from the train (hereinafter – control termination station) upon their accomplished duties.

8. The disboarding (boarding) of persons, unloading (loading) of freights and goods during the state control of a train en route shall be prohibited throughout all the route line.

Stops of trains at such sections shall be allowed only to ensure traffic safety for the passing oncoming trains.

9. When trains cross the Kazakh-Russian state border and the Kazakh-Kyrgyz state border during the state control along the route, only border control shall be carried out.

10. The administration of the control start station, shall inform the inspection authorities at least one hour before the train arrival about arrival of the train at this station, time, stopping place (railway track) and the number of passengers.

11. The train crew shall ensure before the train arrival at the control start station that passengers are in their places with documents prepared for control, hand luggage, and also with filled out migration cards and customs declarations (if necessary).

12. Movement of the passengers in and to carriages during the state control shall be allowed only with permission of the authorized inspection body employee conducting the state control. Work of restaurant cars shall be terminated at the state control time.

13. Trains can start departing from the station of control start or control termination only with permission of an authorized employee of the state border control unit.

14. Before the state control start by authorized persons of inspection bodies, the train master shall confirm the available information about the presence in the train of passengers with an illness, suspected disease, persons who are on board illegally, including persons without documents entitling for entering the Republic of Kazakhstan, cargo, prohibited by the customs legislation of the Republic of Kazakhstan for bringing to / withdrawal from the Republic of Kazakhstan.

The train master, in advance of the start of state control by authorized officials of the inspection bodies, shall organize collection of information on the total number of passengers (separately for each carriage and train in general) to be provided to the inspection bodies' employees.

Upon arrival of the inspection authorities on a train for state control, the train master shall inform the shift supervisors of the border control unit and the territorial state revenue body about readiness of the train for the state control, and also provide information on the passenger train crew.

15. Verification of documents and persons crossing the state border by rail shall be conducted by border patrols directly in train carriages and locomotives of international routes.

16. Inspection of the inside of the carriages shall be carried out by border units in order to detect and detain illegal infiltrators of the State border concurrent to documents verification of the persons crossing the State border, with involvement of the train crew members.

17. Upon entering the Republic of Kazakhstan, customs and other types of inspection of hand luggage and baggage, as provided by the Law, shall be conducted after checking by the border control units of their owners' documents entitling them to enter the Republic of Kazakhstan. When leaving the Republic of Kazakhstan, inspection shall be conducted in the reverse order.

18. In the availability of baggage vans on the trains, authorized officials of the inspection bodies shall carry out their inspection, check of the carriage and accompanying documents for the transported cargo and goods.

The cargo carried onto the territory of the Republic of Kazakhstan in the baggage vans is subject to customs declaration in accordance with the Code, also with the customs procedure of customs transit.

19. Verification of documents of the engine crew and inspection of the outer part of the train and locomotive carriages shall be conducted by border units when the train enters the Republic of Kazakhstan at the control start station, when it departs the Republic of Kazakhstan - at the control termination station.

The required standing time shall be set in the train schedule to carry out the above inspection procedures.

20. Border control unit shall keep the trains under observation at the stations of the state control start and termination before and during the work of the authorized officials of the inspection bodies.

Only those persons are admitted to the train with permission from the border control unit who need it to perform the official duties in the framework of the legislation of the Republic of Kazakhstan.

21. If during the train inspection violators of the State Border or persons who are on board illegally are found, the border patrol unit shall immediately inform the railway station duty officer to take measures to stop the train and suppress the violation, and shall also report to the nearest Border service unit of the National Security Committee of the Republic Kazakhstan.

22. An authorized official (shift supervisor) of the border control unit shall inform the duty officer of the railway station about the end of the state control of the passenger train and removal of security restrictions.