

On approval of the Rules for provision by telecom operators and (or) owners of communication networks operating in the territory of the Republic of Kazakhstan, at the expense of their own or attracted funds, the functions of their telecommunications equipment for the technical implementation of operational-search, counter-intelligence activities and requirements for networks and communication facilities

Invalidated Unofficial translation

Resolution of the Government of the Republic of Kazakhstan dated June 19, 2018 No. 358. Lost force by Decree of the Government of the Republic of Kazakhstan dated November 7, 2024 № 926 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Unofficial translation

Footnote. Lost force by Decree of the Government of the Republic of Kazakhstan dated November 7, 2024 № 926 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

In accordance with subparagraph 4) paragraph 1 of article 15 of the Law of the Republic of Kazakhstan "On communication" dated July 5, 2004 the Government of the Republic of Kazakhstan **RESOLVES**:

1. to approve attached:

1) the Rules for provision by telecom operators and (or) owners of communication networks operating in the territory of the Republic of Kazakhstan, at the expense of their own or attracted funds, the functions of their telecommunications equipment for the technical implementation of operational-search, counter-intelligence activities;

2) network and means of communication requirements.

2. to invalidate:

1) resolution of the Government of the Republic of Kazakhstan № 1593 “On approval of the Rules of interaction between the bodies carrying out operational and search activities, and organizations in the implementation and operation of hardware and software and technical means to carry out operational-search activities in the telecommunication networks of the Republic of Kazakhstan” dated December 23, 2011 (Collected Acts of President and Government of the Republic of Kazakhstan, 2012, № 10, article 192);

2) paragraph 47 of amendments to some decisions of the Government of the Republic of Kazakhstan, approved by the resolution of the Government of the Republic

of Kazakhstan № 735 “On Amendments to some decisions of the Government of the Republic of Kazakhstan” dated July 23, 2013 (Collected Acts of President and Government of the Republic of Kazakhstan, 2013 г., No 42, article 623).

3. This resolution comes into effect ten calendar days after the day of its first official publication.

*Prime Minister
of the Republic of Kazakhstan*

B. Sagintayev
Approved by the Resolution
of the Government of the
Republic of Kazakhstan
№ 358 dated June 19, 2018

The Rules for provision by telecom operators and (or) owners of communication networks operating in the territory of the Republic of Kazakhstan, at the expense of their own or attracted funds, the functions of their telecommunications equipment for the technical implementation of operational-search, counter-intelligence activities

Chapter 1. General provisions

1. These Rules for provision by telecom operators and (or) owners of communication networks operating in the territory of the Republic of Kazakhstan, at the expense of their own or attracted funds, the functions of their telecommunications equipment for the technical implementation of operational-search, counter-intelligence activities (hereinafter referred to as the Rules) determine the order of provision by telecom operators and (or) owners of communication networks operating in the territory of the Republic of Kazakhstan, at the expense of their own or attracted funds, the functions of their telecommunications equipment for the technical implementation of operational-search activities (hereinafter referred to as the OSA), counter-intelligence activities (hereinafter referred to as the CIA).

2. The requirements of these Rules shall apply to telecom operators and (or) owners of communication networks operating on public telecommunications networks.

3. The following concepts are used in these Rules:

1) means for implementation of OSA, CIA – hardware and (or) software that is part of telecommunications equipment to provide the functions of the technical implementation of OSA, CIA;

2) conformity assessment bodies (hereinafter referred to as the CAB) – legal entities accredited in the prescribed manner to perform work on conformity assessment ;

3) telecommunication equipment owners (hereinafter referred to as the – equipment owners) – communication operators and (or) owners of communication networks whose telecommunication equipment provides technical support functions for OSA, CIA;

4) test connection – connection to the telecommunications network of the telecom operator or service in order to verify the correctness of the functions of the telecommunications equipment for technical implementation of OSA, CIA;

5) authorized units of national security agencies– subdivisions of national security agencies determined by the Chairman of the National Security Committee of the Republic of Kazakhstan for cooperation with communication operators and (or) communication network owners.

Chapter 2. The procedure for providing by telecom operators and (or) owners of communication networks of the functions of their telecommunications equipment for the technical implementation of operational-search, counter-intelligence activities

4. Functioning and safety of telecommunication equipment with functions for technical implementation of OSA, CIA, including maintenance and repair, the use of alarm systems and video surveillance, provided by the owners of the equipment at the expense of their own or attracted funds.

5. In providing the functions of telecommunications equipment for technical implementation of OSA, CIA, equipment owners at the expense of their own or attracted funds provide:

1) necessary channel and technical resources of the telecommunications network for technical implementation of OSA, CIA;

2) access of the bodies carrying out operational investigative activities (hereinafter referred to as the OIA), counter-intelligence activities (hereinafter referred to as the CIA), to service information about subscribers;

3) implementation of the system of registration and identification of all its subscribers by technical and organizational measures;

4) safety and security of telecommunications equipment with functions for technical implementation of OSA, CIA, located at communication facilities;

5) necessary conditions for the smooth operation of equipment with functions for technical implementation of OSA, CIA, including power supply, grounding, climatic conditions, fire safety;

6) organizational and technical provisions for implementation of OSA, CIA on all communication networks;

7) taking measures to prevent disclosure of forms and methods of implementation of OSA, CIA;

8) informing the authorized subdivision of the national security agencies on the commissioning and (or) change of the numbers of customer services, new communication services, switching equipment;

9) monthly submission to the bodies that carry out operational-search, counter-intelligence activities on communication networks the information about the location of base stations of cellular networks, including those operating in test mode;

10) immediate elimination of malfunctions in the operation of telecommunications equipment with functions of technical implementation of OSA, CIA.

6. CAB at the request of the authorized division of the national security authorities provide information on the issued certificates for telecommunications equipment with the functions of technical implementation of OSA, SIA.

7. In order to ensure the function of telecommunications equipment for the technical implementation of OSA, CIA in the interests of solving problems, a bilateral agreement on cooperation at communication facilities is concluded by all bodies carrying out OIA, CIA, between the equipment owner and the authorized division of national security agencies.

The agreement is developed by the owner of the equipment, signed by the head of the owner of the equipment and the head of the authorized division of national security agencies. When placing the equipment owner at the operational support facilities of the State security service of the Republic of Kazakhstan, the agreement is concluded with the State security service of the Republic of Kazakhstan.

8. The agreements reflect the following questions:

1) confidentiality;

2) submission of necessary information;

3) provision of premises, channels and communication lines;

4) allocation of places for equipment and cable routes;

5) providing access to service information about the subscriber;

6) access to communications facilities by representatives of authorized divisions of national security agencies;

7) regulation of interaction in the operation of telecommunications equipment for the technical implementation of OSA, CIA;

8) technical conditions for connecting to channels and communication lines;

9) conditions for the operation of connected technical means, including guaranteed and uninterrupted power supply, grounding, climatic conditions;

10) safety of connected technical means located at communication facilities, and exclusion of unauthorized access to them;

11) contact details of persons from among the employees of the equipment owner who are responsible for ensuring the correct functioning, implementation and safety of telecommunications equipment for the technical implementation of OSA, CIA;

12) the conditions for the provision of test connections to communication services, test identifiers and subscriber terminals;

13) other terms of the agreement.

9. The owners of the equipment in accordance with the terms of the Agreement provide for the use of national security authorities:

1) working premises and (or) place at communication facilities for the placement of equipment with the provision of electricity, grounding and the necessary climatic conditions;

2) communication lines, channels and routes for laying cable communications;

3) test connections to services and at least three test subscriber identifiers for each type of communication with all communication services operating in the network for each telecommunications network switching equipment.

10. Commissioning and decommissioning or upgrading of obsolete telecommunications equipment, changing existing communication schemes are carried out in accordance with the action plan developed and approved by the owner of the equipment in coordination with the authorized division of national security agencies to provide telecommunication equipment functions for OSA and CIA technical implementation on the network telecommunications equipment owner.

The plan is developed in the first quarter of the current year and is prepared in two copies, the first copy is submitted by the owner of the equipment to the authorized division of the national security agencies, the second is kept by the owner of the equipment.

11. The plan includes the following activities:

1) ensuring the technical implementation of the OSA, CIA on the communications provider telecommunications network;

2) timely update of the information contained in the databases of subscribers and communication services provided to them;

3) implementation of new projects, the acquisition and installation of telecommunications equipment with the functions of the technical implementation of OSA, CIA (installation site of telecommunications equipment is coordinated with the national security authorities);

4) commissioning of new equipment with the technical functions of OSA, CIA, trial operation, elimination of deficiencies revealed by the national security authorities;

5) modernization of switching, network, transport equipment in operation;

6) the frequency of equipment maintenance, expansion of the existing telecommunications network;

7) other.

The information contained in the plans is confidential.

12. Carrying out unscheduled work on telecommunications equipment with functions for the technical implementation of OSA, CIA is carried out in coordination with the authorized units of the national security authorities.

13. The owners of the equipment take measures to limit the number of persons involved in providing functions for the technical implementation of the OSA, CIA installation of OSA, CIA facilities, as well as to prevent disclosure of organizational and technical methods of OSA, CIA.

14. Equipment owners ensure that the information contained in the subscriber service information databases is always up to date in automatic mode.

15. Tests for confirming the compliance of telecommunications equipment with functions for the technical implementation of OSA, CIA are carried out by the CAB in the presence of a representative of the authorized unit of the national security body in a period not exceeding 30 calendar days from the start of the test.

16. Communication facilities, including newly built or reconstructed facilities, in agreement with the authorized division of the national security agencies, provide premises for equipment installation, lines and communication channels are provided for its connection. The area of the premises should correspond to the area of the equipment to be placed, the required free space and the working places of the personnel.

The premises are equipped with the necessary electrical, energy and water supply, climate, technological and utility supplies, fire and burglar alarm systems, means that prevent unauthorized access to the premises of unauthorized individuals.

17. Commissioning equipment into trial operation is confirmed by an act of commissioning telecommunications equipment into trial operation of OSA, CIA compiled in accordance with Annex 1 to these Rules, approved by the head of the authorized division of national security and the owner of the equipment. The duration of trial operation is determined by the authorized division of the national security agencies, but not more than 60 calendar days from the date of signing the act of commissioning into trial operation.

Positive results of trial operation are issued in the conclusion drawn up in accordance with Annex 2 to these Rules, which reflect the name of the owner of the equipment, the subject of the test, the type of communication network, duration, test results and conclusions on compliance with technical regulations and national standards in the field of implementation of the OSA, CIA.

Negative results of trial operation are documented by a conclusion drawn up in accordance with Annex 2 to these Rules. If the equipment does not comply with the applicable requirements, the reasons for non-compliance shall be indicated in the conclusion.

Commissioning in permanent operation is executed by the act of commissioning telecommunication equipment with the functions of OSA, CIA drawn up in accordance with Annex 3 to these Rules.

The act of commissioning into permanent operation is drawn up with positive results of trial operation.

The act of commissioning of equipment signed in a period not exceeding 15 working days from the date of the conclusion of the possibility of taking the equipment into operation by the head of the authorized division of national security agencies and the owner of the equipment.

18. In case of accidents, failures, damage to telecommunications equipment with the functions of the technical implementation of OSA, CIA equipment owners immediately notify the authorized division of the national security authorities and take measures to eliminate malfunctions and restore the equipment to work.

19. In case of systematic accidents, malfunctions or prolonged non-functioning of telecommunications equipment with the functions of technical implementation of OSA, CIA the authorized division of national security authorities initiates cancellation of the commissioning act with subsequent appeal to the authorized body for the suspension of the certificate of conformity.

20. The decommissioning of telecommunications equipment with the functions of the technical implementation of OSA, CIA and their reuse, as well as disposal of information storage devices by equipment owners are carried out in coordination with the authorized division of national security agencies.

Decommissioning is executed by the act of decommissioning telecommunications equipment with the functions of OSA, CIA, drawn up in accordance with Annex 4 to these Rules.

According to the results of the disposal of information storage devices, the owners of the equipment draw up an act of disposal of information storage devices of telecommunications equipment with the functions of OSA, CIA in the form according to Annex 5 to these Rules. The act of disposal is drawn up in two copies, the first copy is submitted by the owner of the equipment to the authorized division of the national security authorities, the second is kept by the owner of the equipment.

21. Telecommunication equipment of communication networks, including control centers, switching equipment, service information storage systems and personal data about subscribers, voice exchange systems, short text, graphic, multimedia messages, should be located in the Republic of Kazakhstan.

22. The telecommunications equipment with functions for the technical implementation of OSA, CIA should include measures of physical and hardware and software limit for unauthorized access to the equipment.

23. Telecommunication equipment with functions for the technical implementation of OSA, CIA is connected by equipment owners to channels and communication lines of national security agencies through connection points.

Connection points are determined by the authorized division of national security.

24. The owners of the equipment ensure compliance with the requirements for the quality of telecommunications equipment with functions for the technical implementation of OSA, CIA and the long term of its continuous uninterrupted operation in the clock mode with the least amount of failures.

25. Maintenance and repair of telecommunications equipment with functions for the technical implementation of OSA, CIA is provided by equipment owners with their own and/or borrowed funds.

26. The owners of the equipment in order to timely troubleshoot and restore equipment implementation ensure the availability of backup nodes and (or) components of telecommunications equipment with functions for the technical implementation of OSA, CIA.

27. All subscriber devices operating in cellular networks must be registered with the cellular operator in accordance with the rules for registering subscriber cellular devices approved in accordance with sub-paragraph 8-8) of paragraph 1 of article 8 of the Law of the Republic of Kazakhstan "On communication" dated July 5, 2004.

28. With changes in telecommunications networks, the introduction of new equipment, an increase in the capacity of communication channels, the equipment owners make the necessary changes to telecommunications equipment to ensure the technical implementation of the OSA, CIA and subsequent certification tests.

Annex 1
to the Rules for provision by
telecom operators and (or) owners
of communication networks
operating in the territory of the
Republic of Kazakhstan, at the
expense of their own or attracted
funds, the functions of their
telecommunications equipment for
the technical implementation of
operational-search, counter-
intelligence activities and
requirements for networks and
communication facilities
Form

"APPROVE" "APPROVE"

(position, signature of the head (position, signature of the head

of equipment owner, last name, of authorized division
first name, patronymic (if available), of national security agencies organization
stamp

(if available) first name, patronymic (if available)
" " 20 " " 20

**THE ACT OF COMMISSIONING INTO TRIAL OPERATION
of telecommunication equipment with the functions of implementation of
operational-search,
counter-intelligence activities**

This act introduces telecommunication equipment with the functions of implementation of operational-search, counterintelligence activities on the communication networks of the operator or owner of the communication network _____ (hereinafter referred to as the Equipment).

The equipment provides technical capabilities for implementation of the OSA, CIA :

(interception of messages and / or collection and storage of service information about all connections of subscribers)
on the net _____

(fixed telephone connection, mobile telephone connection, mobile Internet, fixed-line Internet)

Information confirming the compliance of equipment with the requirements of Technical Regulations and national standards to ensure the above mentioned types of OSA, CIA:

(numbers of certificates of conformity, date of issue, issuing authority)
Period of trial operation: from ____ ____ ____ (date) till ____ ____ ____ (date)
IP address of access interface: https:// _____

From _____

Responsible for the equipment OSA
telecom operator

(signature, last name, first name,
patronymic (if available) of an
employee)

Responsible employees of the
authorized division of national
security agencies _____

(signature, last name, first name,
patronymic (if available) of an
employee)

(signature, last name, first name, patronymic (if available) of an employee)

" ___ " _____ 20 ___

(signature, last name, first name, patronymic (if available) of an employee)

" ___ " _____ 20 ___

Annex 2

to the Rules for provision by telecom operators and (or) owners of communication networks operating in the territory of the Republic of Kazakhstan, at the expense of their own or attracted funds, the functions of their telecommunications equipment for the technical implementation of operational-search, counter-intelligence activities and requirements for networks and communication facilities

Form

Conclusion on the results of trial operation

Trial operation of equipment of telecom operator with the functions of the technical implementation of OSA, CIA _____, intended for:

_____ (interception of messages and / or collection and storage of service information about all connections of subscribers) on the net

_____, (fixed telephone connection, mobile telephone connection, mobile Internet, fixed-line Internet)

held in the period from ___ 20 ___ to ___ 20 ___

Conclusion:

Equipment with the functions of the technical implementation of OSA, CIA _____ with requirements of technical regulations and national standards in the field of ensuring of implementation of OSA, CIA and _____ commissioning.

The head of the authorized division of the national security agencies _____

_____ Position signature, last name, initials " ___ " _____ 20 ___

Annex 3

to the Rules for provision by telecom operators and (or) owners

of communication networks
operating in the territory of the
Republic of Kazakhstan, at the
expense of their own or attracted
funds, the functions of their
telecommunications equipment for
the technical implementation of
operational-search, counter-
intelligence activities and
requirements for networks and
communication facilities
Form

"APPROVE"

"APPROVE"

(position, signature of the head

(position, signature of the head

of equipment owner, last name, _____ of authorized division
first name, patronymic (if available), of national security agencies organization
stamp

(if available)

first name, patronymic (if available)

" ____ " _____ 20__

" ____ " _____ 20__

ACT OF COMMISSIONING

**of telecommunication equipment with the functions of implementation of
operational-search,
counter-intelligence activities**

This act puts into commission the telecommunication equipment with the functions
of implementation of operational-search, counter-intelligence activities on the
communication networks of the operator or owner _____

_____ (hereinafter referred to as the Equipment).

List of equipment put into commission:

№	Equipment name	Serial number	Software version	Location of installation (settlement, street, building number, floor, room number, row, place)
1.				
2.				
3.				
4.				
5.				

The equipment provides technical capabilities for implementation of OSA,
CIA: _____

_____ (interception of messages and / or collection and storage of service information about all connections of subscribers)

On the net _____

— (fixed telephone connection, mobile telephone connection, mobile Internet, fixed-line Internet)

Information confirming the compliance of the equipment with the requirements of technical regulations and national standards to ensure the above mentioned types of OSA, CIA:

_____ (numbers of certificates of conformity, date of issue, issuing authority)

Representative of the National Security Committee of the Republic of Kazakhstan (hereinafter referred to as the RK NSC) has changed the password of the administrator of the Monitoring Center, removed the test users.

From the day of signing of this act, the telecommunications cabinet (s)

_____ (number of the cabinet number or its identification mark)
sealed by seals of representatives of the RK NSC.

Annex:
Copies of certificates
of conformity.

From _____

_____ Responsible for the equipment OSA
telecom operator

_____ (signature, last name, first name,
patronymic (if available) of an
employee)

_____ (signature, last name, first name,
patronymic (if available) of an
employee)

"__" _____ 20__

Responsible employees of the
authorized division of national
security agencies _____

_____ (signature, last name, first name,
patronymic (if available) of an
employee)

"__" _____ 20__

Annex 4
to the Rules for provision by
telecom operators and (or) owners

of communication networks
operating in the territory of the
Republic of Kazakhstan, at the
expense of their own or attracted
funds, the functions of their
telecommunications equipment for
the technical implementation of
operational-search, counter-
intelligence activities and
requirements for networks and
communication facilities

Form

"APPROVE"

"APPROVE"

(position, signature of the head

(position, signature of the head

of equipment owner, last name, _____ of authorized division
first name, patronymic (if available), of national security agencies organization
stamp

(if available)

first name, patronymic (if available)

" ____ " _____

20 ____

" ____ " _____

20 ____

ACT OF DECOMMISSIONING

of telecommunication equipment with the functions of implementation of operational-search, counter-intelligence activities

Telecommunications equipment with functions of implementation of
operational-search, counter-intelligence activities on the networks of the operator or
owner _____ is placed out of commission
by this act (hereinafter referred to as the Equipment).

List of equipment decommissioned:

№	Equipment name	Serial number	Software version	Location of installation (settlement, street, building number, floor, room number, row, place)
1.				
2.				
3.				
4.				
5.				

The equipment previously installed on the network

_____,
(fixed telephone connection, mobile telephone connection, mobile Internet,
fixed-line Internet)

and designed to provide technical implementation of OSA,

CIA: _____

(interception of messages and / or collection and storage of service information
about all
connections of subscribers)

from the date of signing of this act is not subject to operation. A representative of
the National Security Committee of the Republic of Kazakhstan reconciled
decommissioned equipment.

The validity of the certificate (s) of conformity

_____,
(numbers of certificates of conformity, date of issue, issuing authority)
issued for the above mentioned equipment is lost.

From _____

Responsible for the equipment OSA
telecom operator

(signature, last name, first name,
patronymic (if available) of an
employee)

(signature, last name, first name,
patronymic (if available) of an
employee)

"__" _____ 20__

Responsible employees of the
authorized division of national
security agencies _____

(signature, last name, first name,
patronymic (if available) of an
employee)

"__" _____ 20__

Annex 5

to the Rules for provision by telecom operators and (or) owners of communication
networks operating in the territory of the Republic of Kazakhstan, at the expense of
their own or attracted funds, the functions of their telecommunications equipment for
the technical implementation of operational-search, counter-intelligence activities and
requirements for networks and communication facilities

Form

ACT OF DISPOSAL

of information storage devices of telecommunications equipment with the functions of operational-search, counter-intelligence activities

This act confirms the utilization of information storage devices of telecommunications equipment with the functions of conducting of operational-search, counter-intelligence activities of the telecommunications operator or owner _____

(hereinafter referred to as the Equipment).

List of disposed equipment:

№	Name of storage device	Serial number
1.		
2.		
3.		

The information storage devices previously installed on telecommunications equipment with the functions of implementation of operational-search, counter-intelligence activities

_____ (fixed telephone connection, mobile telephone connection, mobile Internet, fixed-line Internet)

and designed to provide technical capabilities for OSA, CIA:

_____ (interception of messages and / or collection and storage of service information about all connections of subscribers)

disposed by _____

_____ (total physical destruction)

From _____

Responsible for the equipment OSA telecom operator

(signature, last name, first name, patronymic (if available) of an employee)

(signature, last name, first name, patronymic (if available) of an employee)

" " _____ 20__

Responsible employees of the authorized division of national security agencies _____

(signature, last name, first name, patronymic (if available) of an employee)

—

" " _____ 20__

Approved by the Resolution

Network and communications requirements

1. These requirements for networks and communications are developed in accordance with subparagraph 4) of paragraph 1 of Article 15 of the Law of the Republic of Kazakhstan “On Communications” dated July 5, 2004 and establish requirements for networks and communication facilities (hereinafter referred to as the Requirements) to ensure by telecom operators and (or) owners of communication networks operating in the territory of the Republic of Kazakhstan, at the expense of their own or attracted funds, the functions of their telecommunications equipment for the technical implementation of operational-search, counter-intelligence activities.

2. Planning, design, construction, modification, development of networks and communication facilities should be carried out by communication operators and (or) owners of communication networks in accordance with these requirements.

3. The choice of telecommunications equipment of communication networks is carried out by the owners of the equipment, taking into account the provision of functions for the technical implementation of operational-search, counter-intelligence activities (hereinafter referred to as the OSA, CIA) and obtaining a certificate of compliance with the requirements of technical regulations and national standards in the field of technical implementation of OSA, CIA.

4. The functions for the technical implementation of OSA, CIA are implemented on the telecommunications equipment of communication networks, designed to provide communication services and having the technical capabilities to implementation OSA, CIA.

5. Communication networks provide measures to limit the asymmetry of traffic in order to ensure the implementation of OSA, CIA and obtain the results of OSA, CIA in full volume, without loss and gaps.

6. The construction of communication networks provides the conditions for local traffic aggregation at communication sites, including information traffic, signaling traffic, user authorization and identification, as well as technical capabilities for accessing the specified traffic for OSA, CIA.

7. Communication networks provide measures to prevent unauthorized traffic and unauthorized substitution of subscriber numbers that are detrimental to the implementation of OSA, CIA.

8. Communication facilities operating on the territory of the Republic of Kazakhstan must comply with the requirements of technical regulations and national standards for the technical implementation of the OSA, CIA.

9. Networks and means of communication should provide unified time synchronization across the entire communication network with the time of the city of Astana in order to accurately match the communication services provided and the results of the OSA, CIA.

10. Networks and means of communication should ensure the identification of all subscriber devices operating in a communication network, in order to accurately match the messages and results of OSA and CIA that are transmitted from subscriber devices.

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