

On approval of the Rules of turnover of weapons and military equipment

Unofficial translation

Resolution No. 896 of the Government of the Republic of Kazakhstan of November 29, 2019.

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In accordance with subparagraph 11) of article 5 of the Law of the Republic of Kazakhstan dated March 18, 2019 “On the defense industry and the state defense order”, the Government of the Republic of Kazakhstan hereby **RESOLVES**:

1. To approve the attached Rules of turnover of weapons and military equipment.
2. To recognize as invalid certain resolutions of the Government of the Republic of Kazakhstan in accordance with the appendix to this resolution.
3. 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*

A. Mamin

Approved by Resolution
No. 896 of the Government
of the Republic of Kazakhstan
of November 29, 2019

Rules of turnover of weapons and military equipment

Chapter 1. General Provisions

1. These Rules of turnover of weapons and military equipment (hereinafter -the Rules) have been developed in accordance with subparagraph 11) of Article 5 of the Law of the Republic of Kazakhstan dated March 18, 2019 “On the defense industry and the state defense order” and establish the procedure for the turnover of weapons and military equipment, combat hand small arms and ammunition, and also cold weapons.

2. The Rules are purposed to build conditions for excluding the possibility of illegal turnover of weapons and military equipment.

The following concepts shall be used in these Rules:

1) military equipment – combat vehicles, warships (boats and military auxiliary vessels), military aircraft, also ships (boats and other vessels), aircraft and other airborne vehicles, which the Armed Forces of the Republic of Kazakhstan are equipped with, other troops and military formations, special state and law enforcement bodies of the Republic of Kazakhstan;

2) modernization - a set of works, resulting in the change of separate tactical and technical elements of the weapons, military, automotive and special equipment, technical and special equipment, while maintaining their main purpose in the same condition, characterized by

replacement of obsolete specimens, technical means and components used in them by new, more up-to-date ones (or the use of new technical solutions), aimed at improving the tactical and technical characteristics of the specimen;

3) combat hand small arms and cold weapons - weapons intended for military, operational, service and training tasks adopted by the relevant state bodies of the Republic of Kazakhstan and their units (hereinafter - the Armed Forces, other troops and military formations, special state and law enforcement bodies), also weapons manufactured for delivery to other states. Combat hand-held small arms and ammunition to them are one of the types of armament.

4) repairs - a set of operations to restore serviceability or operability, eliminate the causes of failure and restore the spent resource of mechanisms, components or assembly parts of weapons, military, automotive and special equipment, technical and special equipment;

5) turnover of weapons –their production, assembly, alteration, sale (trade), transfer, donation, rewarding, inheritance, acquisition, collecting, exhibiting, accounting, storage, carrying, trafficking, use, withdrawal, destruction, importation into the Republic of Kazakhstan and their exportation from the Republic of Kazakhstan;

6) armament - various types of weapons, complexes and systems intended to strike manpower, equipment and infrastructure, destroy buildings (fortifications), means imitating these components, ammunition, also systems, apparatuses, carriers and devices;

7) arms and combat equipment turnover- development, production, repair, acquisition and sale, installation, assembly, modernization, mounting, use, storage, repair and maintenance, transfer, liquidation through destruction, disposal, burial and processing, importation into the Republic Kazakhstan and exportation of weapons and military equipment from the Republic of Kazakhstan;

8) development of weapons and military equipment - a set of design works carried out in order to obtain descriptions of a new or modernized model of weapons and military equipment;

9) military-industrial complex organizations - domestic manufacturers and domestic suppliers of works, services, holding licenses in the field of arms and military equipment turnover;

10) state defense order - a legal act of the Government of the Republic of Kazakhstan approving the list (nomenclature) of military goods (products), dual-use (application) goods (products), military works and military services acquired for the needs of defense, security and law and order in the state, activities of special state and law enforcement bodies of the Republic of Kazakhstan, state material reserve, mobilization, space activities, and fulfillment by the Republic of Kazakhstan of international treaties and obligations;

11) ammunition - components of weapons specifically intended to strike manpower, equipment and infrastructure, destroy buildings (fortifications), as well as means that imitate these components;

12) technical maintenance - a set of measures to maintain and restore technical readiness of the weapons, military, automobile and special equipment, technical and special equipment during the time between overhauls at their use as intended, storage and transportation, the need for carrying out which is determined by their technical condition;

13) authorized body - a state body that exercises leadership and cross-sectoral coordination in the field of the defense industry and state defense order;

14) authorized organization - a legal entity defined by the Government of the Republic of Kazakhstan, performing importations of military goods (products), dual-use (application) goods (products), military works and military services, sales (including export), liquidation through destruction, disposal, burial and processing of unused assets , with the exception of ammunition, rendering of services in the property lease of unused defense facilities, participation in international exhibitions in the field of defense industry and their organization on the territory of the Republic of Kazakhstan.

3. Activities in the turnover of weapons and military equipment shall be subject to licensing in accordance with the legislation of the Republic of Kazakhstan on permits and notifications.

4. The military-industrial complex organizations engaged in the turnover of weapons and military equipment shall ensure the safety of production, accounting and security of weapons and military equipment.

Each unit of a model of armament and military equipment produced in the territory of the Republic of Kazakhstan should have a marking containing information about the corresponding military-industrial complex organization, production date and serial number that is assigned by the military-industrial complex organization. At the same time, the serial registration number for ammunitions is assigned to their packing lot and is indicated on the containers.

Chapter 2. Development of weapons and military equipment

5. Development of weapons and military equipment shall be performed by individuals and legal entities of the Republic of Kazakhstan.

6. The complex of design works includes theoretical and experimental research, designing , development of technical and design documentation, on the basis of which prototype test weapons and military equipment shall be made.

7. Designing of the prototype test weapons and military equipment shall be suited to the needs of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, special state and law enforcement bodies of the Republic of Kazakhstan, also for export purposes.

8. Issuing from the designing work results, the developer shall take a decision on the mass production of weapons and military equipment, proceeding from economic feasibility.

Chapter 3. Production and modernization of weapons and military equipment

9. Production and modernization of weapons and military equipment shall be performed by the military-industrial complex organizations for the needs of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, special state and law enforcement bodies of the Republic of Kazakhstan, also for exportation.

The military-industrial complex organization for production and modernization of weapons and military equipment shall be determined within the framework of the state defense order in accordance with the legislation of the Republic of Kazakhstan on the defense industry and the state defense order.

For special state bodies, the production and modernization of weapons and military equipment shall be carried out both within the framework of the state defense order, and in the manner established by the legislation of the Republic of Kazakhstan on public procurement.

10. At the stage of organizing production or modernization (hereinafter -production), the engineering and technical personnel shall be trained, with technological production lines prepared to ensure the safety of the relevant products manufacturing.

11. A set of ongoing preparatory work shall be envisaged concerning engineering and technical personnel and technological production lines for the possibility of subsequently ensuring the use of the intended production characteristics of the technological production lines with regard to production-economic feasibility.

12. Organization of production includes fulfillment of the principles:

1) integrity - carrying out the work on the preparation of production according to a single plan, involving both research and production assimilation processes;

2) specialization - assignment to each unit of the military-industrial complex organization of the types of activities in creation and development of new equipment that meet the nature of specialization of these units;

3) scientific-engineering and production integration - a set of conditions for achievement of the production goal resulting from the activities of a certain number of specialized units and contractors;

4) completeness of documentation and availability of the assembly parts of components - requires simultaneous execution of a set of works by the time when their further continuation is possible only with a complete set of documentation or component parts of the products;

5) permanence of the work on creation of new products - requires elimination of significant time gaps between the phases of the preparation process, and within them between the stages, works, operations.

13. Production shall be ensured by a strict sequence of works and the shortest routes for the movement of technical documentation and components for new products on all stages of the product development and its production assimilation.

14. Production of weapons and military equipment includes processes on the manufacture of components, assembly and installation, adjustment and setup to ensure the use of the final product for its intended purpose.

15. Production of cartridges for hand small arms and cold weapons includes processes on the manufacture of components, assembly and installation to ensure the use of the final product for its intended purpose.

16. Installation of weapons and military equipment implies a set of works on the assembly and installation of structural elements of the construction, instruments, devices, parts of weapons and military hardware.

Setup is a complex of operations on the preparation, tooling, regulation and adjustment of weapons and military equipment aimed to sustain its operation under specified conditions for certain time duration.

17. Installation and setup of weapons and military equipment shall be carried out in compliance with the technological sequence in the manner determined by the technological and design documentation.

18. Organization of all the production processes shall ensure safety of the components, excluding the possibility of their use separately or in any component parts not for their intended purpose.

Chapter 4. Use, storage of weapons and military equipment

19. The use of weapons and military equipment is a phase of operational maintenance during which the weapons and military equipment product works in accordance with its functional purpose.

20. The use of weapons and military hardware provides for timely repair and technical maintenance (service maintenance).

21. The Armed Forces of the Republic of Kazakhstan, other troops and military formations, special state and law enforcement bodies of the Republic of Kazakhstan, military-industrial complex organizations shall be in charge of the storage of weapons and military hardware during the use.

22. The weapons and military equipment shall be stored in the conditions that maintain the object of armament and military equipment in good repair and complete state.

23. Storage of weapons and military equipment shall be carried out only in premises specially equipped for these purposes (storage facilities, parks, hangars) and under conditions that exclude the prerequisites for their illegal circulation. In this case, premises (storage facilities, parks, hangars) shall be equipped with technical means of protection and fire safety.

The organization of storage of weapons and military equipment by organizations of the military-industrial complex shall be regulated by the instructions.

Instructions for the storage of weapons and military equipment shall be developed on the basis of current governing documents of the Armed Forces of the Republic of Kazakhstan,

other troops and military formations, special state and the Law enforcement agencies of the Republic of Kazakhstan and regulatory documents in the field of designing arsenals, bases, warehouses of missiles and ammunition in terms of the specifics of production activities and manufactured products.

Instructions for the storage of weapons and military equipment are approved by the first head of the organization of the military-industrial complex in agreement with the territorial units of the state body authorized in the field of civil protection and industrial safety.

Footnote. Paragraph 23 - in the wording of the resolution of the Government of the Republic of Kazakhstan dated 14.04.2022 No. 224 (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Chapter 5. Repair and technical maintenance (service maintenance) of weapons and military equipment

24. In repairs and technical maintenance (service maintenance), a single system of comprehensive maintenance and repair shall be applied.

The unified system of comprehensive technical maintenance and repair shall be planned and preventive and based on mandatory implementation of the established types of technical maintenance (service maintenance) and repair of all the components of weapons and military equipment depending on operating time (kilometerage, number of shots, hours of work) or calendar terms taking into account operating conditions.

25. Repair is classified according to:

- 1) the venue - depot, military, departmental or field;
- 2) the degree of qualitative impact on the object - current, medium, major;
- 3) the degree of planning - planned, unplanned, emergency;
- 4) technical condition - periodic;
- 5) repair methods - aggregate, individual, without responsibility, mixed.

26. Major repair implies complete disassembly and fault detection, replacement or repair of all the defective parts, assembly, comprehensive inspection, adjustment and testing.

27. Major repair is intended to restore serviceability and complete or close to it technical resource.

28. Medium repair consists in restoring the operational characteristics of the products by replacing or repairing the damaged (worn out) parts and obligatory checking of the technical condition of the remaining parts with correction of faults.

29. Current repair consists in correction of faults by replacing or restoring separate parts of the products and adjustment works.

30. Technical maintenance (service maintenance) is part of measures aimed at sustaining and extending the life cycle of the weapons and military equipment.

31. The types of technical maintenance (service maintenance) and the scope of work shall be determined by the respective technical documentation.

32. Corresponding products that are in technically sound and operational readiness shall be subject to technical maintenance (service maintenance).

33. Repair and technical maintenance (service maintenance) of weapons and military equipment shall be carried out by the organizations of the military-industrial complex for the needs of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, special state and law enforcement bodies of the Republic of Kazakhstan, also for exportation.

The military-industrial complex organization for the repair and technical maintenance (service maintenance) of weapons and military equipment shall be determined in the framework of the state defense order in accordance with the legislation of the Republic of Kazakhstan on the defense industry and the state defense order.

Special state bodies shall acquire repair and technical maintenance services (service maintenance) both within the framework of the state defense order and in the manner established by the legislation of the Republic of Kazakhstan on public procurement.

In the absence of domestic production capabilities for repair and technical maintenance (service maintenance), foreign manufacturers or organizations are involved in these processes in the manner prescribed by law.

34. Current and medium repairs, technical maintenance (service maintenance) can be performed by repair units of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, special state and law enforcement bodies of the Republic of Kazakhstan. In this case, the procedure for the current and medium repairs, technical maintenance (service maintenance) shall be established by the chief executives of the entities authorized to use weapons and military equipment, the list of which shall be approved by the Government of the Republic of Kazakhstan (hereinafter, entities authorized to use weapons and military equipment).

Chapter 6. Acquisition and sale of weapons and military equipment

35. Acquisition of weapons and military equipment shall be carried out by an authorized body, an authorized organization, entities authorized to use weapons and military equipment, and entities authorized to acquire weapons and military equipment in accordance with the legislation of the Republic of Kazakhstan on permits and notifications.

36. Acquisition of weapons and military equipment shall also be carried out for the state material reserve.

37. Acquisition of weapons and military equipment by the Armed Forces of the Republic of Kazakhstan, other troops and military formations, law enforcement bodies of the Republic of Kazakhstan shall be carried out within the framework of the state defense order.

38. Special state bodies of the Republic of Kazakhstan shall acquire weapons and military equipment both within the state defense order and in the manner established by the legislation of the Republic of Kazakhstan on public procurement.

39. Sale of weapons and military equipment shall be performed by an authorized organization and entities entitled to sell weapons and military equipment in accordance with the legislation of the Republic of Kazakhstan on permits and notifications.40. In accordance with the legislation of the Republic of Kazakhstan on permits and notifications, entities entitled to acquire and sell shall not be allowed to sell weapons and military equipment to each other, except for the military-industrial complex entities and (or) an authorized organization.

Chapter 7. Transfer, liquidation through destruction, disposal, burial and processing of weapons and military equipment

41. The transfer of weapons and military equipment between entities entitled to use weapons and military equipment shall be carried out by the resolution of the Government of the Republic of Kazakhstan.

42. State institutions of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, special state bodies of the Republic of Kazakhstan shall transfer and redistribute the weapons and military equipment within the state body on the basis of the decision of the chief executive of the state body or an authorized person.

The transfer and redistribution of weapons and military equipment within a state body shall be carried out in the manner established by the relevant state bodies.

43. Liquidation through destruction, disposal, burial and processing of weapons and military equipment shall be carried out by the decision of the authorized body after it is recognized as unused property in accordance with the rules for the transfer, sale, liquidation through destruction, disposal, burial and processing of unused property, also provision of property lease (renting) of unused defense facilities approved by the Government of the Republic of Kazakhstan.

Chapter 8. Importation into the Republic of Kazakhstan and exportation from the Republic of Kazakhstan of weapons and military equipment

44. Importation into the Republic of Kazakhstan and exportation from the Republic of Kazakhstan of weapons and military equipment shall be performed by the Armed Forces of the Republic of Kazakhstan, other troops and military formations, special state and law enforcement bodies of the Republic of Kazakhstan, an authorized organization, also individuals, legal entities that hold the appropriate license in accordance with the legislation of the Republic of Kazakhstan on permits and notifications, also on export control in order to be implemented by entities, entitled to use weapons and military equipment for intended tasks and also for the state material reserve.

45. Exportation of weapons and military equipment for sale shall be carried out by an authorized organization and entities entitled to sell weapons and military equipment in accordance with the legislation of the Republic of Kazakhstan.

Chapter 9. Characteristics of the turnover of combat small firearms and ammunition and cold weapons

46. Production of small firearms and ammunition, and also cold weapons

(hereinafter - combat weapons) includes research, development, testing, manufacturing, artistic decoration, repair, assembly, alteration of combat weapons.

47. Military-industrial complex entities engaged in the production of combat weapons shall carry out manufacturing of combat weapons only for deliveries to the entities authorized to use combat weapons, and also for deliveries to other states.

48. The sales (trade), acquisition, use of combat weapons shall be carried out in the manner determined by chapters 4, 6 of these Rules.

49. Entities entitled to use combat weapons shall keep record of the combat weapons. Accounting for combat weapons shall be carried out in the manner established by the chief executives of the entities entitled to use combat weapons.

50. Storage and carrying, as well as use of combat weapons, shall be permitted only for combat, operational, service and training tasks.

51. The order of storage, seizure, keeping and carrying of combat weapons shall be determined by the entities authorized to use combat weapons.

52. The order of issuing permits for the storage and carrying of combat weapons shall be determined by the chief executives of the entities authorized to use combat weapons.

53. Transportation of combat weapons by all means of transport shall be carried out taking into account:

1) provision with armed security from the moment of loading and delivery to the destination;

2) provision of loading and unloading point and means of transportation with fire extinguishing means and timely appointment of a fire brigade.

54. Combat weapons shall be transported in an uncharged state and separately from cartridges. The procedure for transporting combat weapons shall be established by the entities authorized to use military weapons.

55. Combat weapons shall be packed in a sealed container.

56. Exportation from the Republic of Kazakhstan and importation into the Republic of Kazakhstan of single specimens of combat weapons by military servicemen and employees of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, servants of special state and law enforcement bodies of the Republic of Kazakhstan for combat and operational tasks shall be carried out on the basis of a document certifying the right to carry arms. At the same time, a copy of the secondment order (s) or a letter from the

relevant state body of the Republic of Kazakhstan to the relevant territorial customs body, which indicates information on the exported (imported) weapons, shall be attached.

57. Copies of these documents shall be presented to the territorial customs authority at the checkpoint through the State border of the Republic of Kazakhstan.

58. Copies of the documents after their verification with the originals shall be certified by a customs officer by sealing them with a numbered stamp and remain in the file of the customs authority that carried out the customs clearance of the exported (imported) weapons.

59. Importation into the territory of the Republic of Kazakhstan, exportation from the territory of the Republic of Kazakhstan, as well as transit through the territory of the Republic of Kazakhstan of combat weapons by servants of foreign law enforcement bodies, special services and paramilitary organizations arriving in the Republic of Kazakhstan at the invitation or in connection with the performance of official duties, shall be carried out upon a written conclusion, respectively, by the leaders of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, special state and law enforcement bodies of the Republic of Kazakhstan.

60. In the written conclusion, the full name of the servants of foreign law enforcement bodies, special services and paramilitary organizations, type (brand), number and caliber of weapons, amount of ammunition for each imported weapon unit shall be indicated. The written conclusion shall be signed respectively by the head of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, special and law enforcement bodies of the Republic of Kazakhstan, or by a person replacing him.

61. The written conclusion and a copy of it shall be presented by the representative of the receiving party at the territorial customs and border authority located at the checkpoint across the State border of the Republic of Kazakhstan and certified by the customs officer and the border authority by sealing it; a copy of the written conclusion remains in the file of the customs authority and the border authority that carried out the customs clearance of the imported weapons.

62. At the weapons exportation, the original written conclusion, certified by the territorial customs authority and the border authority at the weapons importation into the Republic of Kazakhstan, shall be submitted to the territorial customs and border authorities located at the checkpoint across the State border of the Republic of Kazakhstan and remain in their files.

In the events of importation and (or) exportation of weapons and ammunition to it at the State border with a member state of the Eurasian Economic Union, clearance shall be carried out only with the border authority.

63. Awarding with combat weapons, with the exception of burst firing and having a magazine (drum) of more than 10 cartridges, as well as prohibited for circulation on the territory of the Republic of Kazakhstan, shall be made on the basis of the Order of the

President of the Republic of Kazakhstan, resolution of the Government of the Republic of Kazakhstan, award documents of the heads of foreign states, heads and members of governments of foreign states.

64. Awarding with combat weapons is a form of encouraging citizens of the Republic of Kazakhstan for their services to the state, military valor, achievements in the field of ensuring law, order and public safety, protecting human and civil rights and freedoms.

65. The state bodies initiating the award with combat weapons, shall independently develop draft acts of the President of the Republic of Kazakhstan and (or) the Government of the Republic of Kazakhstan (indicating the name, model, caliber, series and number of weapons) and direct them for consideration to the Presidential Administration of the Republic of Kazakhstan and (or) the Government of the Republic of Kazakhstan.

66. An award combat weapon and its ammunition may not be the object of sale, exchange, gift and inheritance.

67. Award combat weapons may not be given to replace the lost ones, including as a result of theft.

Combat weapons may not be awarded posthumously.

68. In the event of death of the owner of an award combat weapon, the indicated weapon shall be handed over to the internal affairs bodies within one month.

69. The award combat weapon shall be given from the combat weapons that are on the balance of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, special state and law enforcement bodies of the Republic of Kazakhstan.

70. Storage, carrying, withdrawal, transfer and transportation, issuing permits for storage and carrying, registration, as well as firing from the award combat weapon shall comply with prescribed order for the turnover of civilian, service weapons and their ammunition in accordance with the legislation of the Republic of Kazakhstan on state control of the turnover of certain types of weapons.

71. Combat weapons shall be put on exhibition in the manner prescribed for the turnover of civilian, service weapons and their ammunition in accordance with the legislation of the Republic of Kazakhstan on state control of turnover of particular types of weapon.

Chapter 10. Control of the turnover of weapons and military equipment

72. State control of the turnover of weapons and military equipment shall be carried out at all stages of their life cycle.

73. State control of the turnover of weapons and military equipment shall be performed by the authorized body, with the exception of control of the turnover of weapons and military equipment that are under the management of the central executive bodies, state bodies directly subordinate and accountable to the President of the Republic of Kazakhstan, their departments.

The list of certain expired resolutions of the Government of the Republic of Kazakhstan

1. Resolution No. 1032 of the Government of the Republic of Kazakhstan dated September 18, 2002 “On approval of the Rules of turnover of military small arms and ammunition to them, and also cold weapons”.

2. Resolution No. 635 of the Government of the Republic of Kazakhstan dated June 8, 2004 “On Certain issues of licensing of activities for development, production, repair, sale, acquisition, exhibiting of combat small arms and ammunition to them” (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2004, No. 24, Art. 307).

3. Resolution No. 1203 of the Government of the Republic of Kazakhstan dated November 11, 2013 “On amending Resolution No. 1032 of the Government of the Republic of Kazakhstan dated September 18, 2002 “On approval of the rules of turnover of combat small arms and ammunition to them, and also cold weapons”.