



On approval of risk assessment criteria for and the checklist of compliance with the legislation of the Republic of Kazakhstan on mass media

Unofficial translation

Joint order of the Minister of Information and Communications of the Republic of Kazakhstan dated November 9, 2018 № 473 and Minister of National Economy of the Republic of Kazakhstan dated November 15, 2018 № 69. Registered with the Ministry of Justice of the Republic of Kazakhstan on November 26, 2018 № 17787.

Unofficial translation

In accordance with paragraphs 5 and 6 of Article 141 and paragraph 1 of Article 143 of the Entrepreneurial Code of the Republic of Kazakhstan, **WE HEREBY ORDER:**

Footnote. The preamble is in the wording of the joint order of the Minister of Information and Public Development of the Republic of Kazakhstan dated 30.11.2022 № 529 and the Minister of National Economy of the Republic of Kazakhstan dated 01.12.2022 № 112 (effective from 01.01.2023).

1. To approve:

1) criteria for assessing the degree of risk for compliance with the legislation of the Republic of Kazakhstan on mass media (hereinafter referred to as Criteria), in accordance with Annex 1 to this joint order;

2) a checklist for compliance with the legislation of the Republic of Kazakhstan on mass media (hereinafter referred to as the checklist) in relation to periodicals, in accordance with Annex 2 to this joint order;

3) a checklist for compliance with the legislation of the Republic of Kazakhstan on mass media in relation to news agencies, online publications, and Internet resources, in accordance with Annex 3 to this joint order.

Footnote. Paragraph 1 - as amended by the joint order of the Minister of Information and Public Development of the Republic of Kazakhstan dated 30.11.2022 № 529 and the Minister of National Economy of the Republic of Kazakhstan dated 01.12.2022 № 112 (effective from 01.01.2023).

2. The Information Committee of the Ministry of Information and Communications of the Republic of Kazakhstan shall:

1) ensure state registration of this joint order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days of the state registration of this joint order, send its Kazakh and Russian hard and soft copies to the Republican State Enterprise with the Right of Economic Management “Republican Center of Legal Information” for its official publication and

inclusion into the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) place this joint order on the website of the Ministry of Information and Communications of the Republic of Kazakhstan;

4) within ten working days of the state registration of this joint order, submit information on the implementation of measures, provided for in subparagraphs 1), 2) and 3) of this paragraph, to the Legal Department of the Ministry of Information and Communications of the Republic of Kazakhstan.

3. Control over execution of this joint order shall be entrusted to the supervising vice-minister of Information and Communications of the Republic of Kazakhstan.

4. This joint order shall take effect ten calendar days after the day of its first official publication, except for line 4 in Appendix 1 to the Criteria, line 4 in Appendix 4 to the Criteria and line 4 of the checklist in the field of state control over compliance with the legislation of the Republic of Kazakhstan on mass media with respect to print periodicals, which shall take effect on January 11, 2019.

*Minister of Information and
Communications of the Republic of Kazakhstan
Minister of National Economy
of the Republic of Kazakhstan*

D.Abayev

T.Suleimenov

AGREED

**Committee on Legal Statistics and
Special Accounts of the
General Prosecutor's Office of
the Republic of Kazakhstan**

Appendix to
Joint Order № 69 of the Minister
of Information and
Communications of the Republic
of Kazakhstan as of
November 15, 2018
and № 69 of the Minister of
National Economy of the Republic
of Kazakhstan as of
November 15, 2018

Criteria for assessing the degree of risk for compliance with the legislation of the Republic of Kazakhstan on mass media

Footnote. Annex 1 - as amended by the joint order of the Minister of Information and Public Development of the Republic of Kazakhstan dated 17.05.2023 № 199-NK and the Acting Minister of National Economy of the Republic of Kazakhstan dated 18.05.2023 № 74 (effective ten calendar days after the date of its first official publication).

Chapter 1. General provisions

1. These Criteria for assessing the degree of risk for compliance with the legislation of the Republic of Kazakhstan on mass media (hereinafter referred to as the Criteria) have been developed in accordance with paragraphs 5 and 6 of Article 141, paragraph 1 of Article 143 of the Entrepreneurial Code of the Republic of Kazakhstan (hereinafter referred to as – the Code), approved by the order of the Acting Minister of National Economy of the Republic of Kazakhstan dated July 31, 2018 № 3 "On approval of the form of the checklist" (registered in the Register of state registration of regulatory legal acts under № 17371) and the Rules for the formation by regulatory state bodies of the risk assessment and management system, approved by the order of the Acting Minister of National Economy of the Republic of Kazakhstan dated June 22, 2022 № 48 (registered in the Register of state registration of regulatory legal acts under № 28577).

2. The following concepts are used in these Criteria:

1) subjects (objects) of control in the field of mass media – periodicals, news agencies and online publications, Internet resources;

2) minor violation – violations of the requirements established by regulatory legal acts in the field of mass media, non-compliance with which does not create prerequisites for a threat to the life and health of the population, but the fulfillment of which is mandatory for subjects (objects) of control in the conduct of their activities, the presence of one confirmed complaint or appeal;

3) significant violation – violation of the requirements established by regulatory legal acts in the field of mass media, creating prerequisites for a threat to human life and health, the legitimate interests of individuals and legal entities, the state, as well as the presence of two confirmed complaints or appeals against the subject (object) of control;

4) gross violation – violation of the requirements established by regulatory legal acts in the field of mass media related to non-compliance with the prohibiting norm of the legislation of the Republic of Kazakhstan (prohibited, not allowed, not permitted), as well as violation of requirements that entail a threat to human life and health, the legitimate interests of individuals and legal entities, the state, the presence of three or more confirmed complaints or appeals against the subject (object) of control;

5) risk – the probability of harm as a result of the activity of the subject (object) of control over human life or health, the legitimate interests of individuals and legal entities, the property interests of the state, taking into account the severity of its consequences;

6) risk assessment and management system – the process of making managerial decisions aimed at reducing the likelihood of adverse factors by distributing the subjects (objects) of control by degrees of risk for subsequent preventive control with a visit to the subject (object) of control in order to limit the freedom of entrepreneurship to the minimum possible extent, while ensuring an acceptable level of risk in the relevant fields of activity, as well as aimed at changing the level of risk for a particular subject (object) of control and (or) releasing such a

subject (object) of control from preventive control with a visit to the subject (object) of control;

7) objective criteria for assessing the degree of risk (hereinafter – objective criteria) – criteria for assessing the degree of risk used to select subjects (objects) of control, depending on the degree of risk for compliance with the legislation of the Republic of Kazakhstan on mass media;

8) subjective criteria for assessing the degree of risk (hereinafter – subjective criteria) – criteria for assessing the degree of risk used to select subjects (objects) of control depending on the results of the activities of a particular subject (object) of control;

9) a checklist is a list of requirements that includes requirements for the activities of subjects (objects) of control, non-compliance with which entails a threat to human life and health, the legitimate interests of individuals and legal entities, and the state.

10) score is a quantitative measure of risk calculation;

11) data normalization is a statistical procedure involving the reduction of values measured in various scales to a conditionally common scale;

12) criteria for assessing the degree of risk – a set of quantitative and qualitative indicators related to the direct activities of the subject of control, the specifics of industry development and factors influencing this development, allowing the subjects (objects) of control to be attributed to various degrees of risk;

13) a sample set (sample) is a list of assessed subjects (objects) belonging to a homogeneous group of subjects (objects) of control in a specific area of state control, in accordance with paragraph 2 of Article 143 of the Code.

3. Risk management in the implementation of preventive control with a visit to the subject (object) of control is formed by defining objective and subjective criteria that are implemented in stages (Multicriteria analysis of decisions).

At the first stage, according to objective criteria, the subjects (objects) of control are assigned to one of the following degrees of risk (hereinafter referred to as the degree of risk):

- 1) high risk;
- 2) medium risk;
- 3) low risk.

For the areas of activity of subjects (objects) of control classified as high and medium risk, preventive control is carried out with a visit to the subject (object) of control, preventive control without visiting the subject (object) of control and unscheduled inspection.

For the areas of activity of subjects (objects) of control classified as low-risk, preventive control is carried out without visiting the subject (object) of control and an unscheduled inspection.

At the second stage, according to subjective criteria, the subjects (objects) of control are classified into one of the following degrees of risk:

- 1) high risk;

2) medium risk;

3) low risk.

According to the indicators of the degree of risk, according to subjective criteria, the subject (object) of control refers to:

1) a high degree of risk – with an indicator of the degree of risk from 71 to 100 inclusive;

2) a medium degree of risk – with an indicator of the degree of risk from 31 to 70 inclusive;

3) a low degree of risk – with an indicator of the degree of risk from 0 to 30 inclusive.

4. Criteria for assessing the degree of risk for preventive control of subjects (objects) of control are formed by defining objective and subjective criteria.

Chapter 2. Objective criteria

5. Objective criteria are determined by determining the risk.

6. The risk of state control is determined taking into account one of the following criteria:

1) the level of danger (complexity) of the object;

2) the scale of severity of possible negative consequences in the field of mass media;

3) the possibility of an adverse event for human life or health, the legitimate interests of individuals and legal entities, and the state.

After analyzing all possible risks, the subjects (objects) of control are divided into three degrees of risk (high, medium and low).

7. The determination of the risk of compliance with the legislation of the Republic of Kazakhstan on mass media is carried out depending on the likelihood of harm as a result of the activities of the subject (object) of control over human life or health, the legitimate interests of individuals and legal entities, the property interests of the state by the activities of subjects (objects) of control related to the failure to ensure constitutional guarantees of the rights to freely receive information and disseminate it by any means not prohibited by laws, freedom of speech and creativity, information security of the individual, society and the state when using the services of mass media.

According to objective criteria, owners of periodicals are at high risk, owners of news agencies and online publications are at medium risk, and owners of Internet resources are at low risk.

Chapter 3. Subjective criteria

8. The subjective criteria are determined using the following steps:

1) database formation and information collection;

2) information analysis and risk assessment.

9. The formation of a database and the collection of information are necessary to identify subjects (objects) of control that violate the legislation of the Republic of Kazakhstan in the field of mass media.

The following information source is used to assess the degree of risks according to subjective criteria:

1) the results of previous unscheduled inspections and preventive control with visits to the subjects (objects) of control.

10. Based on the available sources of information, the authorized body in the field of mass media forms subjective criteria to be evaluated.

The analysis and assessment of subjective criteria makes it possible to concentrate preventive control of the subject (object) of control in relation to the subject (object) of control with the greatest potential risk.

At the same time, the data of subjective criteria previously taken into account and used in relation to a specific subject (object) of control or data for which the statute of limitations has expired in accordance with the legislation of the Republic of Kazakhstan are not used in the analysis and assessment.

In respect of subjects of control that have eliminated in full the violations following the results of the previous preventive control with a visit, their inclusion in the lists for the next period of state control is not allowed.

11. Depending on the possible risk and significance of the problem, the uniqueness or systemic nature of the violation, the analysis of previously made decisions for each source of information, the requirements for the activities of the subjects (objects) of control correspond to the degree of violation – gross, significant and minor.

At the same time, the definition of gross, significant and minor violations is established in the criteria for assessing the degree of risk of the authorized body in the field of mass media, taking into account the specifics of the field in the field of mass media.

When forming subjective criteria, the degree of violation (gross, significant, minor) is assigned in accordance with the established definitions of gross, significant, minor violations.

12. Based on the priority of the information sources used and the significance of the indicators of subjective criteria, in accordance with the procedure for calculating the risk indicator according to the subjective criteria defined in Chapter 4 of these Criteria, the risk indicator is calculated according to subjective criteria on a scale from 0 to 100 points.

13. The risk assessment and management system is conducted using information systems that classify the subjects (objects) of control to specific degrees of risk and form lists of control measures.

In the absence of an information system for risk assessment and management, the minimum allowable threshold for the number of subjects (objects) of control, in respect of

which preventive control is carried out with a visit to the subject (object) of control, should not exceed five percent of the total number of such subjects of control in a certain area of state control.

The extent of violations of the requirements for subjects in the field of mass media in relation to the activities of owners of periodicals, news agencies, online publications and Internet resources are given in appendices 1 and 2 to these Criteria.

14. Subjects (objects) of control are transferred using an information system from a high degree of risk to a medium degree of risk or from a medium degree of risk to a low degree of risk in the field of mass media in the following cases:

1) if the laws of the Republic of Kazakhstan and the criteria for assessing the degree of risk of regulatory state bodies define cases of exemption from preventive control with a visit to the subject (object) of control.

15. In order to be exempt from preventive control with visits to the subject (object) of control, regulatory state bodies, as well as state bodies, take into account mitigating indicators

Mitigating indicators include:

1) the presence of audio and (or) video fixation, with data transmission in online mode.

At the same time, exemption from preventive control with a visit to the subject (object) of control and (or) verification of compliance with requirements by regulatory state bodies, as well as by state bodies, is carried out in terms of requirements, data on which are obtained by the methods specified in the mitigating indicators.

Chapter 4. The procedure for calculating the general indicator of the degree of risk according to subjective criteria

16. To classify the subject of control to the degree of risk, the following procedure for calculating the degree of risk is applied.

The calculation of the risk index according to subjective criteria (R) is carried out in automated mode by summing the risk index for violations based on the results of previous inspections and preventive control with visits to subjects (objects) of control (SP) and the risk index according to subjective criteria (SC), followed by normalization of data values in the range from 0 to 100 points.

$R_{\text{пром}} = SP + SC$, where

RM is an intermediate indicator of the degree of risk according to subjective criteria,

SP is an indicator of the degree of risk for violations,

SC is an indicator of the degree of risk according to subjective criteria determined in accordance with paragraph 12 of these Criteria.

The calculation is made for each subject (object) of control of a homogeneous group of subjects (objects) of control of each sphere of state control. At the same time, the list of assessed subjects (objects) of control, attributed to a homogeneous group of subjects (objects)

of control of one sphere of state control, forms a sample set (sample) for subsequent normalization of data.

17. According to the data obtained from the results of previous inspections and preventive control with visits to the subjects (objects) of control, an indicator of the degree of risk for violations is formed, estimated in points from 0 to 100.

If one gross violation is detected for any of the sources of information specified in paragraph 9 of these Criteria, a risk score of 100 points is equated to the subject of control and preventive control is carried out with a visit to the subject (object) of control.

If gross violations are not detected, the indicator of the degree of risk for violations is calculated by the total indicator for violations of a significant and minor degree.

When determining the indicator of significant violations, a coefficient of 0.7 is used.

This indicator is calculated using the following formula:

$SP_3 = (SP_2 \times 100 / SP_1) \times 0,7$, where:

SP_3 is an indicator of significant violations;

SP_1 – the required number of significant violations;

SP_2 – the number of significant violations detected;

A coefficient of 0.3 is used to determine the indicator of minor violations.

This indicator is calculated using the following formula:

$SP_H = (SP_2 \times 100 / SP_1) \times 0,3$, where:

SP_H is an indicator of minor violations;

SP_1 – the required number of minor violations;

SP_2 – the number of minor violations detected;

The indicator of the degree of risk for violations (SP) is calculated on a scale from 0 to 100 points and is determined by summing the indicators of significant and minor violations according to the following formula:

$SP = SP_3 + SP_H$, where:

SP is the indicator of the degree of risk for violations;

SP_3 is an indicator of significant violations;

SP_H is an indicator of minor violations.

The obtained value of the indicator of the degree of risk for violations is included in the calculation of the indicator of the degree of risk according to subjective criteria.

18. The calculation of the risk index according to subjective criteria determined in accordance with paragraph 12 of these Criteria is carried out on a scale from 0 to 100 points and is carried out according to the following formula:

where:

x_i is the indicator of the subjective criterion,

w_i is the specific weight of the indicator of the subjective criterion x_i ,

n is the number of indicators.

The obtained value of the risk indicator according to subjective criteria determined in accordance with paragraph 12 of these Criteria is included in the calculation of the risk indicator according to subjective criteria.

19. The values calculated by subjects (objects) for the R indicator are normalized in the range from 0 to 100 points. Data normalization is carried out for each sample using the following formula:

R is an indicator of the degree of risk (final) according to the subjective criteria of an individual subject (object) of control,

R_{max} is the maximum possible value on the scale of the degree of risk according to subjective criteria for subjects (objects) belonging to the same sample set (sample) (the upper limit of the scale),

R_{min} is the minimum possible value on the scale of the degree of risk according to subjective criteria for subjects (objects) belonging to the same sample set (sample) (the lower limit of the scale),

R_{пром} is an intermediate indicator of the degree of risk according to subjective criteria, calculated in accordance with paragraph 16 of these Criteria.

Chapter 5. Final provisions

20. The frequency of preventive control with visits to a subject (object) classified as high and medium risk may not be more than twice a year.

21. Preventive control with a visit to the subject (object) of control is carried out on the basis of semi-annual lists of preventive control with a visit to the subject (object) of control, formed in accordance with paragraph 4 of Article 144-2 of the Code.

22. Lists of preventive control with visits to the subjects (objects) of control are compiled taking into account the priority of the subject (object) of control with the highest degree of risk according to subjective criteria.

Annex 1
to the Criteria for assessing
the degree of risk for
compliance with the legislation
of the Republic of Kazakhstan
on mass media

The degree of violation of the requirements for subjects in the field of mass media in relation to the activities of owners of periodicals

№	Requirements	The degree of violation
1.	Publication of a periodical, the distribution of messages and materials of an information agency or an online publication without established output data, as well as with unclear or deliberately false output data	Minor

2.	Distribution of advertising in periodicals in a language not specified in the certificate of registration of the mass media	Significant
3.	Production, manufacture, replication and (or) distribution of mass media products, messages and materials of an information agency and an online publication without re-accounting in cases of a change of owner or its organizational and legal form, the name, as well as the name of the mass media, changes in the language of the publication or broadcasting, the territory of distribution, the main thematic focus, the frequency of release	Significant
4.	Distribution to minors of information products containing information prohibited for children, with the exception of information products distributed via the Internet	Gross
5.	Advertising of ethyl alcohol and alcoholic beverages, products imitating alcoholic beverages	Gross
6.	Advertising of tobacco and tobacco products, including products with heated tobacco, hookah tobacco, hookah mixture, tobacco heating systems, electronic consumption systems and liquids for them	Gross
7.	Advertising of electronic casinos and online casinos	Gross
8.	Posting information about vacancies for employment that contains discriminatory requirements in the field of labor	Gross
9.	Advertising about the activities of a financial (investment) pyramid	Gross
10.	Dissemination in the mass media or telecommunications networks of a person's personal and biometric data, including information about his parents and other legal representatives, other information that allows identification, about a child who has suffered as a result of illegal actions (inaction) and about minors suspected and (or) accused of committing administrative and (or) criminal offenses	Gross

11.	Distribution of mass media products, messages and materials of an information agency and an online publication without registration or after a decision has been made to suspend, terminate their release (airing) or recognize the certificate of registration as invalid	Gross
12.	Placement of readers' letters in the media, including information posted by users on the Internet - a resource containing information prohibited by the laws of the Republic of Kazakhstan (propaganda or agitation of the cult of cruelty and violence, social, racial, national, religious, class and tribal superiority, disclosure of information constituting state secrets or other legally protected secret, dissemination of information promoting suicide, revealing techniques and tactics of anti-terrorist operations during their conduct, propaganda of narcotic drugs, psychotropic substances, their analogues and precursors, distribution of television, radio programs, television, radio channels, as well as the demonstration of pornographic and special sexually erotic film products, the use of mass media in order to violate the conditions of election campaigning, the implementation by foreigners, stateless persons, foreign legal entities and international organizations of activities that impede and (or) contribute to the nomination and election of candidates, political parties that have nominated a party list, the achievement of a certain result during elections, campaigning during the period of its prohibition, coercion to participate or refuse to participate in a strike, violations of the legislation of the Republic of Kazakhstan on the procedure for organizing and holding peaceful assemblies, rallies, marches, pickets and demonstrations, on copyright and related rights on the Internet)	Gross

13.	Distribution of unfair and unreliable advertising, with the exception of anti-competitive actions (inaction) of state, local executive bodies, organizations, the functions of regulating the activities of market entities endowed by the state, unfair competition	Significant
14.	Distribution of unethical and hidden advertising	Significant
15.	The use of advertising to promote or agitate a violent change in the constitutional order, violation of the integrity of the Republic of Kazakhstan, undermining the security of the state, war, social, racial, national, religious, class and tribal superiority, the cult of cruelty and violence, pornography, as well as the dissemination of information constituting state secrets of the Republic of Kazakhstan and other legally protected secrets	Significant
16.	Distribution of social advertising mentioning means of individualization, individuals and legal entities, with the exception of mentions of state bodies, local governments, sponsors, individuals who find themselves in a difficult life situation or in need of treatment, in order to provide them with charitable assistance, as well as mentions in social advertising of socially oriented non-profit organizations in cases where the content of this advertisement is directly related to information about the activities of such non-profit organizations, aimed at achieving charitable and other socially useful goals	Significant
17.	Distribution of periodicals by subscription, indicating the thematic focus of the publication	Minor
18.	Visual or audio use of images of minors in advertising, with the exception of social advertising and advertising of goods (works, services) for minors, as well as goods (works	Significant

	, services) that do not entail harmful effects on the physical, mental health and morality of minors	
19.	Distribution of advertising of the trademark and (or) the name of wine produced in the territory of the Republic of Kazakhstan in periodicals (except for children's and religious) on the front and back pages of newspapers; on the pages and covers of magazines, almanacs, bulletins, appendices to them; without the accompaniment of social advertising to promote a healthy lifestyle, the volume of advertising the area (space) of which is equal to the volume of the advertising area (space) of advertising a trademark and (or) the name of a wine produced on the territory of the Republic of Kazakhstan	Significant
20.	Distribution in periodicals of advertising of the trademark and (or) the name of the wine produced in the territory of the Republic of Kazakhstan: containing an advertisement for wine ; related to work and driving a vehicle ; with the participation of minors, including those made with the help of animation (animation); addressed to minors; claiming that wine has medicinal properties, encouraging its excessive use, condemning abstinence from drinking wine; claiming that the use of wine helps to strengthen relationships	Gross
21.	Non-provision of electronic and digital forms of mandatory free copies of periodicals	Minor
22.	The possession by foreign individuals and legal entities, stateless persons of more than 20 percent of shares (shares, units) of a legal entity – owner of a mass media in the Republic of Kazakhstan or carrying out activities in this field	Gross

the degree of risk
for compliance with the
legislation of the
Republic of Kazakhstan
on mass media

**The degree of violation of the requirements for subjects in the field of mass media
in relation to the activities of owners of news agencies, online publications and Internet resources**

№	Requirements	The degree of violation
1.	Publication of a periodical, the distribution of messages and materials of an information agency or an online publication without established output data, as well as with unclear or deliberately false output data	Minor
2.	Production, manufacture, replication and (or) distribution of mass media products, messages and materials of an information agency and an online publication without re-accounting in cases of a change of owner or its organizational and legal form, the name, as well as the name of the mass media, changes in the language of the publication or broadcasting, the territory of distribution, the main thematic focus, the frequency of release	Significant
3.	Advertising of ethyl alcohol and alcoholic beverages, products imitating alcoholic beverages	Gross
4.	Advertising of tobacco and tobacco products, including products with heated tobacco, hookah tobacco, hookah mixture, tobacco heating systems, electronic consumption systems and liquids for them	Gross
5.	Advertising of electronic casinos and online casinos	Gross
6.	Posting information about vacancies for employment that contains discriminatory requirements in the field of labor	Gross
7.	Advertising about the activities of a financial (investment) pyramid	Gross
	Dissemination in the mass media or telecommunications networks of a person's personal and biometric data, including information about his	

8.	parents and other legal representatives, other information that allows identification, about a child who has suffered as a result of illegal actions (inaction) and about minors suspected and (or) accused of committing administrative and (or) criminal offenses	Gross
9.	Distribution of mass media products, messages and materials of an information agency and an online publication without registration or after a decision has been made to suspend, terminate their release (airing) or recognize the certificate of registration as invalid	Gross
10.	Placement of readers' letters in the media, including information posted by users on the Internet - a resource containing information prohibited by the laws of the Republic of Kazakhstan (propaganda or agitation of the cult of cruelty and violence, social, racial, national, religious, class and tribal superiority, disclosure of information constituting state secrets or other legally protected secret, dissemination of information promoting suicide, revealing techniques and tactics of anti-terrorist operations during their conduct, propaganda of narcotic drugs, psychotropic substances, their analogues and precursors, distribution of television, radio programs, television, radio channels, as well as the demonstration of pornographic and special sexually erotic film products, the use of mass media in order to violate the conditions of election campaigning, the implementation by foreigners, stateless persons, foreign legal entities and international organizations of activities that impede and (or) contribute to the nomination and election of candidates, political parties that have nominated a party list, the achievement of a certain result during elections, campaigning during the period of its prohibition, coercion to participate or refuse to participate	Gross

	in a strike, violations of the legislation of the Republic of Kazakhstan on the procedure for organizing and holding peaceful assemblies, rallies, marches, pickets and demonstrations, on copyright and related rights on the Internet)	
11.	Distribution of unfair and unreliable advertising, with the exception of anti-competitive actions (inaction) of state, local executive bodies, organizations, the functions of regulating the activities of market entities endowed by the state, unfair competition	Significant
12.	Distribution of unethical and hidden advertising	Significant
13.	The use of advertising to promote or agitate a violent change in the constitutional order, violation of the integrity of the Republic of Kazakhstan, undermining the security of the state, war, social, racial, national, religious, class and tribal superiority, the cult of cruelty and violence, pornography, as well as the dissemination of information constituting state secrets of the Republic of Kazakhstan and other legally protected secrets	Significant
14.	Distribution of social advertising mentioning means of individualization, individuals and legal entities, with the exception of mentions of state bodies, local governments, sponsors, individuals who find themselves in a difficult life situation or in need of treatment, in order to provide them with charitable assistance, as well as mentions in social advertising of socially oriented non-profit organizations in cases where the content of this advertisement is directly related to information about the activities of such non-profit organizations, aimed at achieving charitable and other socially useful goals	Significant
	Visual or audio use of images of minors in advertising, with the exception of social advertising and advertising of goods (works, services	

15.) for minors, as well as goods (works , services) that do not entail harmful effects on the physical, mental health and morality of minors	Significant
16.	The possession by foreign individuals and legal entities, stateless persons of more than 20 percent of shares (shares, units) of a legal entity – owner of a mass media in the Republic of Kazakhstan or carrying out activities in this field	Gross
17.	Location of the information and communication infrastructure of the owner of the online publication outside the Republic of Kazakhstan	Gross

Appendix 2 to
Joint Order № 69 of the Minister
of Information and Communications
of the Republic of Kazakhstan
as of November 15, 2018
and № 69 of the Minister
of National Economy
of the Republic of Kazakhstan
as of November 15, 2018

Checklist for compliance with the legislation of the Republic of Kazakhstan on mass media in relation to periodicals

Footnote. Annex 2 - as amended by the joint order of the Minister of Information and Public Development of the Republic of Kazakhstan dated 30.11.2022 № 529 and the Minister of National Economy of the Republic of Kazakhstan dated 01.12.2022 № 112 (effective from 01.01.2023).

The state body that appointed an inspection / preventive control with a visit to the subject (object) of control

An act on the appointment of an inspection /preventive control with a visit to the subject (object) of control

№, date

Name of the subject (object) of control _____

(Individual identification number), business identification number of the subject
(object) of control _____

Location address _____

№	List of requirements	Meet the requirements	Don't meet the requirements
1	2	5	6
1.	Publication of a periodical, the distribution of messages and materials of an information agency or an online publication without established output data, as well as with unclear or deliberately false output data		
2.	Distribution of advertising in periodicals in a language not specified in the certificate of registration of the mass media		
3.	Production, manufacture, replication and (or) distribution of mass media products, messages and materials of an information agency and an online publication without re-accounting in cases of a change of owner or its organizational and legal form, the name, as well as the name of the mass media, changes in the language of the publication or broadcasting, the territory of distribution, the main thematic focus, the frequency of release		
4.	Distribution to minors of information products containing information prohibited for children,		

	with the exception of information products distributed via the Internet		
5.	Advertising of ethyl alcohol and alcoholic beverages, products imitating alcoholic beverages		
6.	Advertising of tobacco and tobacco products, including products with heated tobacco, hookah tobacco, hookah mixture, tobacco heating systems, electronic consumption systems and liquids for them		
7.	Advertising of electronic casinos and online casinos		
8.	Posting information about vacancies for employment that contains discriminatory requirements in the field of labor		
9.	Advertising about the activities of a financial (investment) pyramid		
10.	Dissemination in the mass media or telecommunications networks of a person's personal and biometric data, including information about his parents and other legal representatives, other information that allows identification, about a child who has suffered as a result of illegal actions (inaction) and about minors suspected and (or) accused of committing administrative and (or) criminal offenses		
11.	Distribution of mass media products, messages and materials of an information agency and an online publication without registration or after a decision has been made to suspend, terminate their release (airing) or		

	recognize the certificate of registration as invalid		
12.	<p>Placement of readers' letters in the media, including information posted by users on the Internet - a resource containing information prohibited by the laws of the Republic of Kazakhstan (propaganda or agitation of the cult of cruelty and violence, social, racial, national, religious, class and tribal superiority, disclosure of information constituting state secrets or other legally protected secret, dissemination of information promoting suicide, revealing techniques and tactics of anti-terrorist operations during their conduct, propaganda of narcotic drugs, psychotropic substances, their analogues and precursors, distribution of television, radio programs, television, radio channels, as well as the demonstration of pornographic and special sexually erotic film products, the use of mass media in order to violate the conditions of election campaigning, the implementation by foreigners, stateless persons, foreign legal entities and international organizations of activities that impede and (or) contribute to the nomination and election of candidates, political parties that have nominated a party list, the achievement of a certain result during elections, campaigning during the period of its prohibition, coercion to participate or refuse to</p>		

	participate in a strike, violations of the legislation of the Republic of Kazakhstan on the procedure for organizing and holding peaceful assemblies, rallies, marches, pickets and demonstrations, on copyright and related rights on the Internet)		
13.	Distribution of unfair and unreliable advertising, with the exception of anti-competitive actions (inaction) of state, local executive bodies, organizations, the functions of regulating the activities of market entities endowed by the state, unfair competition		
14.	Distribution of unethical and hidden advertising		
15.	The use of advertising to promote or agitate a violent change in the constitutional order, violation of the integrity of the Republic of Kazakhstan, undermining the security of the state, war, social, racial, national, religious, class and tribal superiority, the cult of cruelty and violence, pornography, as well as the dissemination of information constituting state secrets of the Republic of Kazakhstan and other legally protected secrets		
	Distribution of social advertising mentioning means of individualization, individuals and legal entities, with the exception of mentions of state bodies, local governments, sponsors, individuals who find themselves in a difficult life situation or in need of treatment, in order		

16.	to provide them with charitable assistance, as well as mentions in social advertising of socially oriented non-profit organizations in cases where the content of this advertisement is directly related to information about the activities of such non-profit organizations, aimed at achieving charitable and other socially useful goals		
17.	Distribution of periodicals by subscription, indicating the thematic focus of the publication		
18.	Visual or audio use of images of minors in advertising, with the exception of social advertising and advertising of goods (works, services) for minors, as well as goods (works, services) that do not entail harmful effects on the physical, mental health and morality of minors		
19.	Distribution of advertising of the trademark and (or) the name of wine produced in the territory of the Republic of Kazakhstan in periodicals (except for children's and religious) on the front and back pages of newspapers; on the pages and covers of magazines, almanacs, bulletins, appendices to them; without the accompaniment of social advertising to promote a healthy lifestyle, the volume of advertising the area (space) of which is equal to the volume of the advertising area (space) of advertising a trademark and (or) the name of a wine produced on the territory of the Republic of Kazakhstan		

20.	Distribution in periodicals of advertising of the trademark and (or) the name of the wine produced in the territory of the Republic of Kazakhstan: containing an advertisement for wine; related to work and driving a vehicle; with the participation of minors, including those made with the help of animation (animation); addressed to minors; claiming that wine has medicinal properties, encouraging its excessive use, condemning abstinence from drinking wine; claiming that the use of wine helps to strengthen relationships		
21.	Non-provision of electronic and digital forms of mandatory free copies of periodicals		
22.	The possession by foreign individuals and legal entities, stateless persons of more than 20 percent of shares (shares, units) of a legal entity – owner of a mass media in the Republic of Kazakhstan or carrying out activities in this field		

Official(s) _____

position signature

patronymic (if any)

Head of the subject (object) of control _____

position signature

last name, first name, patronymic (if any)

Annex 3
to the joint order of the Minister of
information and communications of the
Republic of Kazakhstan
dated November 9, 2018 № 473 and the
Minister of national economy of the
Republic of Kazakhstan
dated November 15, 2018 № 69

**Checklist for compliance with the legislation of the Republic of Kazakhstan
on mass media in relation to news agencies, online publications, and Internet resources**

Footnote. Annex 3 - as amended by the joint order of the Minister of Information and Public Development of the Republic of Kazakhstan dated 30.11.2022 № 529 and the Minister of National Economy of the Republic of Kazakhstan dated 01.12.2022 № 112 (effective from 01.01.2023).

The state body that appointed an inspection/preventive control with a visit to the subject (object) of control

An act on the appointment of an inspection /preventive control with a visit to the subject (object) of control

№, date

Name of the subject (object) of control _____

(Individual identification number), business identification number of the subject (object) of control _____

Location address _____

№	List of requirements	Meet the requirements	Don't meet the requirements
1	2	5	6
1.	Publication of a periodical, the distribution of messages and materials of an information agency or an online publication without established output data, as well as with unclear or deliberately false output data		
2.	Production, manufacture, replication and (or) distribution of mass media products, messages and materials of an information agency and an online publication without re-accounting in cases of a change of owner or its organizational and legal form, the name, as well as the name of the mass media, changes in the language of the publication or broadcasting, the territory of distribution, the main thematic focus, the frequency of release		
3.	Advertising of ethyl alcohol and alcoholic beverages, products imitating alcoholic beverages		
4.	Advertising of tobacco and tobacco products, including products with heated tobacco, hookah tobacco, hookah mixture, tobacco heating systems, electronic consumption systems and liquids for them		
5.	Advertising of electronic casinos and online casinos		
6.	Posting information about vacancies for employment that contains discriminatory requirements in the field of labor		

7.	Advertising about the activities of a financial (investment) pyramid		
8.	Dissemination in the mass media or telecommunications networks of a person's personal and biometric data, including information about his parents and other legal representatives, other information that allows identification, about a child who has suffered as a result of illegal actions (inaction) and about minors suspected and (or) accused of committing administrative and (or) criminal offenses		
9.	Distribution of mass media products, messages and materials of an information agency and an online publication without registration or after a decision has been made to suspend, terminate their release (airing) or recognize the certificate of registration as invalid		
	Placement of readers' letters in the media, including information posted by users on the Internet - a resource containing information prohibited by the laws of the Republic of Kazakhstan (propaganda or agitation of the cult of cruelty and violence, social, racial, national, religious, class and tribal superiority, disclosure of information constituting state secrets or other legally protected secret, dissemination of information promoting suicide, revealing techniques and tactics of anti-terrorist operations during their conduct, propaganda of narcotic		

10.	<p>drugs, psychotropic substances, their analogues and precursors, distribution of television, radio programs, television, radio channels, as well as the demonstration of pornographic and special sexually erotic film products, the use of mass media in order to violate the conditions of election campaigning, the implementation by foreigners, stateless persons, foreign legal entities and international organizations of activities that impede and (or) contribute to the nomination and election of candidates, political parties that have nominated a party list, the achievement of a certain result during elections, campaigning during the period of its prohibition, coercion to participate or refuse to participate in a strike, violations of the legislation of the Republic of Kazakhstan on the procedure for organizing and holding peaceful assemblies, rallies, marches, pickets and demonstrations, on copyright and related rights on the Internet)</p>		
11.	<p>Distribution of unfair and unreliable advertising, with the exception of anti-competitive actions (inaction) of state, local executive bodies, organizations, the functions of regulating the activities of market entities endowed by the state, unfair competition</p>		
12.	<p>Distribution of unethical and hidden advertising</p>		

13.	<p>The use of advertising to promote or agitate a violent change in the constitutional order, violation of the integrity of the Republic of Kazakhstan, undermining the security of the state, war, social, racial, national, religious, class and tribal superiority, the cult of cruelty and violence, pornography, as well as the dissemination of information constituting state secrets of the Republic of Kazakhstan and other legally protected secrets</p>		
14.	<p>Distribution of social advertising mentioning means of individualization, individuals and legal entities, with the exception of mentions of state bodies, local governments, sponsors, individuals who find themselves in a difficult life situation or in need of treatment, in order to provide them with charitable assistance, as well as mentions in social advertising of socially oriented non-profit organizations in cases where the content of this advertisement is directly related to information about the activities of such non-profit organizations, aimed at achieving charitable and other socially useful goals</p>		
15.	<p>Visual or audio use of images of minors in advertising, with the exception of social advertising and advertising of goods (works, services) for minors, as well as goods (works, services) that do not entail harmful</p>		

	effects on the physical, mental health and morality of minors		
16.	The possession by foreign individuals and legal entities, stateless persons of more than 20 percent of shares (shares, units) of a legal entity – owner of a mass media in the Republic of Kazakhstan or carrying out activities in this field		
17.	Location of the information and communication infrastructure of the owner of the online publication outside the Republic of Kazakhstan		

Official(s) _____

position signature

patronymic (if any)

Head of the subject (object) of control _____

position signature

last name, first name, patronymic (if any)