



On approval of the Rules for technical application of audio and video recordings, providing recording of the course of the land commission session, storage of audio and video records, as well as the Rules for access to audio and video recording

Unofficial translation

Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan dated December 4, 2018 No. 490. Registered in the Ministry of Justice of the Republic of Kazakhstan on December 8, 2018 No. 17904.

Unofficial translation

In accordance with item 2 of article 43 of the Land Code of the Republic of Kazakhstan dated June 20, 2003, **I HEREBY ORDER:**

1. To approve:

1) The Rules for technical application of audio and video recordings, ensuring recording of the course of the land commission session, storage of audio and video records according to Annex 1 to this order;

2) The Rules for access to audio and video records according to Annex 2 to this order.

2. The Land Resources Management Committee under the Ministry of Agriculture of the Republic of Kazakhstan in accordance with the procedure established by the legislation, shall ensure:

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

2) within ten calendar days from the date of state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, the direction hereof in Kazakh and Russian languages to the Republican State Enterprise on the Right of Economic Management "Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan" for official publication and placement in the Reference Control Bank of the Regulatory Legal Acts of the Republic of Kazakhstan;

3) within ten working days after the state registration of this joint order, direction of a copy hereof for official publication to periodical printed media;

4) placing this order on the Internet resource of the Ministry of Agriculture of the Republic of Kazakhstan;

5) within ten working days after the state registration of this order, reporting to the Department of Legal Services of the Ministry of Agriculture of the Republic of Kazakhstan on performance of activities, stipulated by sub-items 2) 3) and 4) of this item.

3. Control over the execution of this order shall be entrusted to the supervising Vice-Minister of Agriculture of the Republic of Kazakhstan.

4. This order shall be put into effect upon expiry of ten calendar days after the day of its first official publication.

*Deputy Prime-Minister of the Republic of Kazakhstan –
Minister of Agriculture of the Republic of Kazakhstan*

U. Shukeyev

Annex 1
to order No. 490 of the Deputy
Prime-Minister of the Republic of
Kazakhstan –Minister of
Agriculture of the
Republic of Kazakhstan
dated December 4, 2018

The Rules for technical application of audio and video recordings, ensuring recording of the course of the land commission session, storage of audio and video records

Chapter 1. General Provisions

1. These Rules for technical application of audio and video recordings, ensuring recording of the course of the land commission session, storage of audio and video records (hereinafter referred to as the Rules) have been developed in accordance with item 2 of Article 43 of the Land Code of the Republic of Kazakhstan dated June 20, 2003 (hereinafter referred to as the Code) and shall determine the procedure of technical application of audio and video recordings, providing recording of the course of the land commission session, storage of audio and video records.

Chapter 2. Procedure for technical application of audio and video recordings, providing recording of the course of the land commission session

2. Audio, video recording shall be conducted in the course of every session of the land commission in online broadcast mode at the Internet resources of local executive bodies of regions, cities of republican significance, the capital, districts, cities of regional significance (hereinafter referred to as the LEB).

3. There shall be an equipment room for placement of equipment required for conducting audio, video recording of the session of the land commission inside of session halls of the land commission.

4. A video record shall contain the entire process of holding a session of the land commission (without a breach of continuity), and the faces of the people, participating in the session of the land commission, other participants of the session of the land commission, as well as the faces of the people, submitted an application for provision of rights for a land plot and their representatives must be clearly visible, and the sound must be audible.

5. Audio, video recordings of the course of the session of the land commission shall be performed without a breach of continuity. Unauthorized discontinuation or adjustment of audio, video recordings of the session of the land commission shall be prohibited.

6. Providing recording of the course of the land commission sessions shall be performed by an information technology specialist of the LEB (hereinafter referred to as the LEB IT specialist).

7. Before the beginning of the session of the land commission, the LEB IT specialist shall check the functionality of audio, video recordings, providing the recording of the course of the session of the land commission.

In case of impossibility to use audio, video recordings, the LEB IT specialist shall report thereof to the chairman of the land commission, who adjourns the session of the land commission.

8. After the end of the session of the land commission, audio, video recording of the session of the land commission shall be kept on the LEB server, as well as on tangible media in one copy, which shall be attached to the case materials of the session of the land commission in a package (envelope) with an indication of the date of the session of the land commission.

Chapter 3. Procedure for storage of audio, video records of the session of the land commission

9. Audio, video recordings of the sessions of the land commission shall be kept on the LEB server on a permanent basis.

10. Preservation of the audio, video recordings of the sessions of the land commission in permanent form shall be provided by a LEB responsible officer before the transfer of materials of the sessions of the land commission to the archives.

Annex 2
to order No. 490 of the Deputy
Prime-Minister of the Republic of
Kazakhstan –Minister of
Agriculture of the
Republic of Kazakhstan
dated December 4, 2018

Rules for access to audio, video recording

1. These Rules for access to audio and video recording(hereinafter referred to as the Rules) have been developed in accordance with item 2 of Article 43 of the Land Code of the Republic of Kazakhstan dated June 20, 2003 (hereinafter referred to as the Code) and shall determine the procedure for access to audio, video recordings of the session of the land commission.

2. The requirements of the legislation of the Republic of Kazakhstan in informatization shall be observed when providing the access to the server.

3. Familiarization of persons, involved in the land commission session, other participants of the land commission sessions, as well as persons, submitted the application for the provision of rights for a land plot, and their representatives with audio, video recordings of the session of the land commission shall be made upon their written request in any format, unless otherwise stipulated by legislative instruments of the Republic of Kazakhstan.

4. After the familiarization is over, a responsible officer of the local executive bodies of regions, cities of republican significance, the capital, districts, cities of regional significance (hereinafter referred to as the LEB responsible officer) shall check the preservation of the tangible media, containing the audio, video recordings of the session of the land commission, by means of its visual inspection.

5. A copy of the audio, video recordings shall be provided to persons, specified in item 3 of these Rules, by the LEB responsible officer, on the basis of the application for the issue of a copy of the audio, video recordings of the session of the land commission in form according to the Annex to these Rules hereinafter referred to as the application) within five working days upon the date of receipt of the application.

6. For the purposes of provision of information security, the LEB responsible officer, before recording of a copy of the the audio, video recordings, shall format the tangible media.

7. A person, familiarized with the audio, video recordings of the session of the land commission, or received a copy thereof on a tangible media, shall make the relevant mark on the request or application.

Annex
to the Rules for access to audio,
video recording
Form to the Head

(full name)

(local executive body) from

(full name of an applicant)

(place of residence,
telephone number)

Application for the issue of a copy of audio, video recordings of the session of the land commission

I hereby apply for the issue to me of a copy of audio, video recordings of the session of the land commission dated " _____ " _____ 20____ (on tangible media). The applicant

has been warned about: 1) the use of a copy of audio, video recordings of the session of the land commission provided only for the purposes of protection of his/her rights, without prejudice to the rights and legitimate interests of other persons; 2) established responsibility by article 79 of the Code of the Republic of Kazakhstan dated July 5, 2014 "On Administrative Offences" and article 147 of the Criminal Code of the Republic of Kazakhstan dated July 3, 2014 for violations of the constitutional rights of citizens and for violation of the Law of the Republic of Kazakhstan dated May 21, 2013 On Personal Data and Their Protection".

" ____ " _____ 20 ____.

A tangible media is attached without any recordings. I have been informed and agree that the attached media shall be formatted and the information existing thereon shall be deleted. _
_____ (date) (signature)