



## **On approval of risk assessment criteria and checklists of activities of organizations managing property rights on a collective basis**

### *Unofficial translation*

Joint order of the Minister of Justice of the Republic of Kazakhstan № 218 as of April 22, 2019 and the Minister of National Economy of the Republic of Kazakhstan № 31 as of April 29, 2019. Registered with the Ministry of Justice of the Republic of Kazakhstan on April 30, 2019, № 18611.

### *Unofficial translation*

In accordance with paragraph 3 of Article 141 and paragraph 1 of Article 143 of the Entrepreneurial Code of the Republic of Kazakhstan as of October 29, 2015, Article 22-1 of the Law of the Republic of Kazakhstan “On the Bodies of Justice” as of March 18, 2002, **we hereby ORDER:**

1. To approve:

1) risk assessment criteria of activities of organizations managing property rights on a collective basis, in accordance with Appendix 1 to this joint order;

2) the checklist for activities of organizations managing property rights on a collective basis accredited in the field of copyright management, in accordance with Appendix 2 to this joint order;

3) the checklist for activities of organizations managing property rights on a collective basis accredited in the field of related rights management, in accordance with Appendix 3 to this joint order;

4) checklist for the activities of organizations managing property rights on a collective basis in the field of exercising the rights of authors, performers, producers of phonograms and audiovisual works to receive remuneration for the reproduction of phonograms and audiovisual works for personal purposes and without income, in accordance with Appendix 4 to this joint order;

5) the checklist for activities of organizations managing property rights on a collective basis accredited in the field of copyright and related rights management, in accordance with Appendix 5 to this joint order.

**Footnote. Paragraph 1 in the wording of the joint order of the Minister of Justice of the Republic of Kazakhstan dated 09.06.2022 № 474 and the Minister of National Economy of the Republic of Kazakhstan dated 10.06.2022 № 42 (shall be enforce upon expiry of ten calendar days after the day of its first official publication).**

2. The Department of Intellectual Property Rights of the Ministry of Justice of the Republic of Kazakhstan shall:

- 1) ensure state registration of this joint order;
  - 2) within ten calendar days of the state registration of this joint order, send it in Kazakh and Russian to the Republican State Enterprise with the Right of Economic Management “Institute of Legislation and Legal Information” of the Ministry of Justice of the Republic of Kazakhstan 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 official website of the Ministry of Justice of the Republic of Kazakhstan;
3. The control over the execution of this joint order shall be assigned to the supervising vice-minister of justice of the Republic of Kazakhstan.
4. This joint order shall take effect ten calendar days of its first official publication.

Minister of Justice of  
the Republic of Kazakhstan  
M. Beketayev

Minister of National Economy of  
the Republic of Kazakhstan  
R. Dalenov

"AGREED"

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

Appendix 1  
to Joint Order № 218  
as of April 22, 2019 of the  
Minister of Justice of the  
Republic of Kazakhstan  
№ 31 as of April 29, 2019  
of the Minister of National  
Economy of the  
Republic of Kazakhstan

## **Risk assessment criteria with regard to activities of organizations managing property rights on a collective basis**

### **Chapter 1. General provisions**

1. These Risk Assessment Criteria with regard to activities of organizations managing property rights on a collective basis (hereinafter referred to as the Criteria) are developed in accordance with paragraph 3 of Article 141 of the Entrepreneurial Code of the Republic of Kazakhstan as of October 29, 2015 (hereinafter referred to as the Code) and the Rules for the state bodies’ development of risk assessment system and forms of checklists approved by Order № 3 of the Acting Minister of National Economy of the Republic of Kazakhstan as of July 31, 2018 (registered in the State Registration Register of Regulatory Legal Acts under № 17371).

2. The following terms are used in these Criteria:

risk - the probability of prejudicing legitimate interests of individuals and legal entities as a result of activities of a subject of control, with account of the severity of their consequences;

risk assessment system - a set of measures undertaken by a control authority in order to schedule preventive control with a visit to the subject of control;

objective risk assessment criteria (hereinafter referred to as objective criteria) - risk assessment criteria used to select subjects of control depending on the degree of risk of activity and not depending directly on a particular subject of control;

subjective risk assessment criteria (hereinafter referred to as subjective criteria) - risk assessment criteria used to select subjects of control depending on the performance of a particular subject of control;

checklist - a list of requirements, including the requirements for activities of subjects of control, a failure to comply with which entails a threat to legitimate interests of individuals and legal entities, and the state;

subjects of control - organization managing property rights on a collective basis ( hereinafter referred to as a non-profit organization), Private Institution, Association of Legal Entities, Republican Public Association in accordance with Law of the Republic of Kazakhstan № 6 as of June 10, 1996 “On Copyright and the Related Rights”.

## **Chapter 2. Methods of conducting preventive control with a visit to the subject of control**

3. Criteria for preventive control with a visit to the subject of control are formed on the basis of objective and subjective criteria.

### **Clause 1. Objective criteria**

4. The subjects of control are classified as high-risk depending on the probability of prejudicing legitimate interests of individuals and legal entities, state interests as a result of activities of subjects of control.

5. According to objective criteria, non-profit organizations, subjects of control operating in the following areas of collective management are classified as high-risk:

1) management of exclusive rights to the released musical works (with or without text) and excerpts of musical and dramatic works in relation to their public performance, communication to the public by cable or broadcasting, also by retransmission;

2) exercise of the rights of composers, who are authors of musical works (with or without text) used in an audiovisual work, to receive remuneration for public performance or communication of such an audiovisual work to the public by cable or broadcasting;

3) exercise of the rights of performers to receive remuneration for public performance, and also for communication to the public by cable or broadcasting, of phonograms published for commercial purposes;

4) exercise of the rights of producers of phonograms to receive remuneration for public performance, and also for communication to the public by cable or broadcasting, of phonograms published for commercial purposes;

5) exercise of the rights of on-air and cable broadcasting organizations to receive remuneration for public performance, and also for communication to the public by cable or broadcasting, of own programs published for commercial purposes;

6) management of the resale right in relation to a work of art;

7) management of the rights to reproduce (reprographic reproduction) of released works.

6. Non-profit organizations are not classified as high-risk ones if these are non-profit organizations operating in the field of exercising the rights of authors, performers, producers of phonograms and audiovisual works to receive remuneration for reproducing phonograms and audiovisual works for personal purposes and without generating income.

7. The degree of risk of subjects of control is assessed and they are classified as belonging to a high-risk group on the basis of objective and subjective criteria proceeding from the utmost probability of prejudicing legitimate interests of individuals and legal entities as a result of activities of a subject of control, with account of the severity of their consequences.

8. With regard to subjects of control classified as high-risk according to objective criteria, subjective criteria are applied for the purpose of conducting preventive control with a visit to the subject of control.

## **Clause 2. Subjective criteria**

9. Subjective criteria are defined as:

1) the database formation and information collection;

2) information analysis and risk assessment.

10. It is necessary to form a database and collect information to identify the subjects of control that violate the legislation of the Republic of Kazakhstan governing activities of organizations managing property rights on a collective basis.

To assess the degree of risk according to subjective criteria, the following sources of information are used:

the presence and number of confirmed complaints and appeals;

results of the monitoring of reporting documents and information submitted by the subject of control;

results of previous inspections and preventive control with visits to subjects of control;

analysis of official websites of the state bodies, the media.

11. To assess the degree of risk, the following sources of information are used:

1) subjective criteria using the “presence and number of confirmed complaints and appeals” information source are determined in accordance with Appendix 1 to these Criteria;

2) subjective criteria using the “results of the monitoring of reporting documents and information submitted by the subject of control” information source are determined in accordance with Appendix 2 to these Criteria;

3) subjective criteria using the “results of previous inspections and preventive control with visits to subjects of control operating in the field of exercising the rights of authors, performers, producers of phonograms and audiovisual works to receive remuneration for reproducing phonograms and audiovisual works for personal purposes and without generating income” information source are determined in accordance with Appendix 3 to these Criteria;

4) subjective criteria using the “results of previous inspections and preventive control with visits to subjects of control operating in the field of copyright and related rights management” information source are determined in accordance with Appendix 4 to these Criteria.

5) subjective criteria using the “analysis of official websites of state bodies, the media” information source are determined in accordance with Appendix 5 to these Criteria.

12. With regard to each source of information, taking into account possible risk and significance of a problem, singular instance or recurrence of a violation, the analysis of previous decisions, it is necessary to identify subjective criteria that, in accordance with the risk assessment criteria, correspond to the degree of violation - gross, significant and minor.

Gross violation – a violation and a failure to fulfill obligations established by regulatory legal acts in the field of intellectual property by subjects of control, in terms of submitting an annual report to the authorized body, a failure to distribute and pay remuneration to authors and copyright holders, use of more than thirty percent of the total amount of collected remuneration to cover administrative expenses, absence of agreements on the transfer of property rights to manage the rights of authors, performers, producers of phonograms to organizations managing property rights on a collective basis, application of rates of remuneration below the minimum rates approved by Decrees of the Government of the Republic of Kazakhstan № 1083 as of October 20, 2004 “On approval of minimum rates of royalties for certain uses of works”, № 1373 as of November 23, 2011 “On approval of minimum rates of remuneration for performers and producers of phonograms”.

Significant violation – a violation and a failure to fulfill obligations by subjects of control established by regulatory legal acts in the field of intellectual property, in terms of a failure to submit an annual balance sheet, annual report, including information on collected, distributed, undistributed, paid, unpaid, unclaimed remuneration on or before April 15 of a month following a reporting period, errors and omissions in reports, a failure to take measures aimed at searching authors, performers, producers of phonograms for transferring collected royalties.

Minor violation - the presence of one confirmed complaint or appeal against subjects of control from individuals or legal entities, state bodies, a failure to submit information on local branches and representative offices carrying out the functions of collecting, distributing and paying remuneration for the use of objects of copyright or related rights.

13. If one gross violation is identified, it is necessary to assign the 100 risk indicator to the subject of control and conduct preventive control with a visit to it.

If no gross violations are identified, it is necessary to calculate the total indicator for significant and minor violations to determine the risk degree indicator.

When determining the indicator of significant violations, a coefficient of 0.7 shall be applied and this indicator shall be calculated using the following formula:

$$\sum P_s = (\sum P_2 \times 100 / \sum P_1) \times 0,7$$

where:

$\sum P_s$  – the indicator of significant violations;

$\sum P_1$  – the required number of significant violations;

$\sum P_2$  - the number of identified significant violations.

When determining the indicator of minor violations, a coefficient of 0.3 shall be applied and this indicator shall be calculated using the following formula:

$$\sum P_m = (\sum P_2 \times 100 / \sum P_1) \times 0,3$$

where:

$\sum P_m$  – the indicator of minor violations;

$\sum P_1$  – the required number of minor violations;

$\sum P_2$  – the number of identified minor violations.

The total risk indicator ( $\sum P$ ) is calculated on a scale from 0 to 100 and is determined by summing the indicators using the following formula:

$$\sum P = \sum P_s + \sum P_m$$

where:

$\sum P$  – the total risk indicator;

$\sum P_s$  – the indicator of significant violations;

$\sum P_m$  – the indicator of minor violations.

12. In terms of risk indicators, the subject of control is:

1) classified as a high-risk one - with a risk indicator from 61 to 100 inclusive and in relation to it, preventive control with a visit to the subject of control is conducted;

2) is not classified as a high-risk one - with a risk indicator from 0 to 60 and in relation to it, preventive control with a visit to the subject of control is not conducted.

13. Preventive control with a visit to the subject of control cannot be conducted more often than once a year.

When analyzing and assessing the degree of risk, the data of subjective criteria earlier considered and used in relation to a particular subject of control are not applied.

14. Lists of preventive control with a visit to the subject of control are made with account of the priority of the subjects of control in terms of the highest risk indicator according to subjective criteria.

**Subjective criteria according to the "presence and number  
of confirmed complaints and appeals" information source**

Footnote. Appendix 1 in the wording of the joint order of the Minister of Justice of the Republic of Kazakhstan dated 30.09.2022 № 822 and the Minister of National Economy of the Republic of Kazakhstan dated 30.09.2022 № 68 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

№	Criteria	Degree of violations
1.	Presence of one confirmed complaint or appeal against the subjects of control received from individuals or legal entities, state bodies within one year.	minor
2.	Presence of two confirmed complaints or appeals against the subjects of control received from individuals or legal entities, state bodies within one year.	significant
3.	Presence of three and more confirmed complaints or appeals against the subjects of control received from individuals or legal entities, state bodies within one year.	gross

Appendix 2  
to the risk assessment criteria  
of activities of organizations managing  
property rights on a collective basis

**Subjective criteria according to the "results of monitoring of reporting  
documents and information submitted by the subject of control" information source**

Footnote. Appendix 2 in the wording of the joint order of the Minister of Justice of the Republic of Kazakhstan dated 30.09.2022 № 822 and the Minister of National Economy of the Republic of Kazakhstan dated 30.09.2022 № 68 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

№	Criteria	Degree of violations
1.	Failure to submit the annual balance sheet, annual report, including information on collected, distributed, undistributed, paid, unpaid, unclaimed remuneration in the submitted reports to the authorized body	gross
	Submission of the annual balance sheet, annual report, including	

2.	information on collected, distributed, undistributed, paid, unpaid, unclaimed remuneration in the submitted reports to the authorized body later than April 15 following the reporting period	significant
3.	Failure to submit amendments made to the charter and other constituent documents of the organization to the authorized body	gross
4.	Submission of amendments made to the charter and other constituent documents of the organization to the authorized body later than April 15 following the reporting period	significant
5.	Failure to submit to the authorized body information on branches and local representative offices performing the functions of collection, distribution and payment of remuneration for the use of objects of copyright or related rights	gross
6.	Submission to the authorized body of information on branches and local representative offices performing the functions of collection, distribution and payment of remuneration for the use of objects of copyright or related rights later than April 15 following the reporting period	significant
7.	Failure to submit the copies of concluded bilateral and multilateral agreements with foreign organizations managing property rights on a collective basis to the authorized body	gross
8.	Submission of the copies of concluded bilateral and multilateral agreements with foreign organizations managing property rights on a collective basis to the authorized body later than April 15 following the reporting period	significant
9.	Failure to submit copies of resolutions of the general meeting to the authorized body	gross
10.	Submission of the copies of resolutions of the general meeting to the authorized body later than April 15 following the reporting period	significant



11.	Failure to submit an audit report to the authorized body, submitted once every two years not later than April 15 following the reporting period	gross
12.	Submission of the audit report to the authorized body once in two years later than April 15 following the reporting period	significant
13.	Failure to publish of the audit report and the results of the audit together with the relevant accounting (financial) statements, which should be publicly available to right holders for five years, on the Internet resource of the organization within one month from the date of approval (signing)	gross
14.	Absence of agreements on the transfer to organizations managing property rights on a collective basis of authority to manage the rights of authors, performers, producers of phonograms, producers of audiovisual works and other right holders	gross
15.	Absence of registers containing information on rights holders, on rights transferred to it for management, as well as on objects of copyright and related rights	gross
16.	Exceeding thirty percent of the total amount of fees collected to cover its actual costs of collecting, distributing and disbursing the fees, as well as amounts allocated to special funds	gross
17.	Absence of an Internet resource to inform about the activities of the organization managing property rights on a collective basis	gross
18.	Failure to ensure 24/7 accessibility of the Internet resource, openness of information posted on it, as well as failure to provide such information free of charge	gross
	Absence on the Internet resource of the organization of information on the rights transferred to the organization for management, including the name of the object of copyright or related rights, the name of the author or other right holder,	

19.	and in the case of transfer of rights under agreements on mutual representation of interests with an organization managing property rights on a collective basis, the name of such an organization, rates of remuneration	gross
20.	Absence of information about the organization's representatives on the Internet resource of the organization	significant
21.	Absence of publicized reports sent to the authorized body, in mass media distributed throughout the territory of the Republic of Kazakhstan, on its Internet resource	significant
22.	Absence on the Internet resource of the organization of information on license agreements concluded with users, including the name of the user and its location, as well as the date of conclusion of such an agreement	significant
23.	Absence of information on bilateral and multilateral agreements concluded with foreign organizations managing property rights on a collective basis on the Internet resource of the organization	minor
24.	Absence of reports submitted by the organization to holders of copyright and related rights through their personal accounts on the organization's Internet resource, containing information on the use of their rights, including the amount of remuneration collected and the amounts withheld from it	gross

Appendix 3  
to the risk assessment criteria  
of activities of organizations managing  
property rights on a collective basis

**Subjective criteria according to the "results of previous inspections and preventive control with visits to control subjects carrying out activities in the field of exercising the rights of authors, performers, producers of phonograms and audiovisual works to receive remuneration for the reproduction of phonograms and audiovisual works for personal purposes and without income generation" information source (the gravity is established when the following requirements are not met)**

**Footnote. Appendix 3 in the wording of the joint order of the Minister of Justice of the Republic of Kazakhstan dated 30.09.2022 № 822 and the Minister of National Economy of**

the Republic of Kazakhstan dated 30.09.2022 № 68 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

№	Criteria	Degree of violations
1.	Failure to submit an annual report to the authorized body	gross
2.	Submission of the annual report to the authorized body later than April 15 following the reporting period	significant
3.	Failure to submit an audit report to the authorized body, submitted once every two years not later than April 15 following the reporting period	gross
4.	Submission of the audit report to the authorized body once in two years later than April 15 following the reporting period	significant
5.	Failure to publish the audit report and the results of the audit together with the relevant accounting (financial) statements, which should be publicly available to right holders for five years, on the Internet resource of the organization within one month from the date of approval (signing)	gross
6.	Absence of publicized reports sent to the authorized body, in mass media distributed throughout the territory of the Republic of Kazakhstan, on its Internet resource	significant
7.	Absence of agreements on the transfer to organizations managing property rights on a collective basis of authority to manage the rights of authors, performers, producers of phonograms, producers of audiovisual works and other right holders	gross
8.	Absence of registers containing information on rights holders, on rights transferred to its management, as well as on objects of copyright and related rights	gross
9.	Absence of an Internet resource for the purpose of informing about the activities of the organization managing property rights on a collective basis	gross
	Failure to ensure 24/7 accessibility of the Internet resource, openness of	

10.	information posted on it, as well as failure to provide such information free of charge	gross
11.	Absence on the Internet resource of the organization of information on the rights transferred to the organization for management, including the name of the object of copyright or related rights, the name of the author or other right holder, and in the case of transfer of rights under agreements on mutual representation of interests with an organization managing property rights on a collective basis, the name of such an organization, rates of remuneration	gross
12.	Lack of information about the organization's representatives on the Internet resource of the organization	significant
13.	Absence on the Internet resource of the organization of information on license agreements concluded with users, including the name of the user and its location, as well as the date of conclusion of such an agreement	significant
14.	Absence on the Internet resource of the organization of information on bilateral and multilateral agreements concluded with foreign organizations managing property rights on a collective basis	minor
15.	Absence of reports submitted by the organization to copyright and related rights holders through their personal accounts on the Internet resource of the organization, containing information on the use of their rights , including the amount of remuneration collected and the amounts withheld from it	gross
16.	Exceeding thirty percent of the total amount of fees collected to cover its actual costs of collection, distribution and disbursement of fees , as well as amounts allocated to special funds	gross
	Absence of supporting materials on the measures taken to identify the right holders entitled to remuneration in accordance with the licensing and remuneration agreements concluded	

17.	by this organization, including the use for this purpose of information received from other organizations managing property rights on a collective basis, mass media distributed throughout the territory of the Republic of Kazakhstan	significant
18.	Absence of materials confirming that measures have been taken to search for authors, performers, phonogram producers, producers of audiovisual works and other right holders for the transfer of collected remuneration	significant
19.	Absence of consents of members of the organization concerning the allocation of amounts of collected remuneration to special funds	gross
20.	Failure to notify of the general meeting and ensure access to it by a representative of the authorized body	significant

Appendix 4  
to the risk assessment criteria  
of activities of organizations managing  
property rights on a collective basis

**Subjective criteria according to the "results of previous inspections and preventive control with visits of the subjects of control carrying out the activity in the field of copyright and relative rights management" information source (the gravity is established when below indicated requirements are not met)**

**Footnote. Appendix 4 in the wording of the joint order of the Minister of Justice of the Republic of Kazakhstan dated 30.09.2022 № 822 and the Minister of National Economy of the Republic of Kazakhstan dated 30.09.2022 № 68 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

№	Criteria	Degree of violations
1.	Failure to provide an annual report to the authorized body	gross
2.	Submission of the annual report to the authorized body later than April 15 following the reporting period	significant
3.	Failure to submit an audit report to the authorized body, submitted once every two years not later than April 15 following the reporting period	gross
4.	Submission of the audit report to the authorized body once in two years later than April 15 following the reporting period	significant

5.	Failure to publish an audit report and the results of the audit together with the relevant accounting (financial) statements which should be publicly available to right holders for five years on the Internet resource of the organization within one month from the date of approval (signing)	gross
6.	Absence of publicized reports sent to the authorized body, in mass media distributed throughout the territory of the Republic of Kazakhstan, on its Internet resource	significant
7.	Exceeding thirty percent of the total amount of fees collected to cover its actual costs of collection, distribution and disbursement of fees , as well as amounts allocated to special funds	gross
8.	Absence of agreements on the transfer to organizations managing property rights on a collective basis of authority to manage the rights of authors, performers, producers of phonograms, producers of audiovisual works and other right holders	gross
9.	Absence of registers containing information on rights holders, on rights transferred to its management, as well as on objects of copyright and related rights	gross
10.	Lack of Internet resource for the purpose of informing about the activities of the organization managing property rights on a collective basis	gross
11.	Failure to ensure availability of the Internet resource on a 24-hour basis, openness of information posted on it, as well as failure to provide such information free of charge	gross
12.	Absence on the Internet resource of the organization of information on the rights transferred to the organization for management, including the name of the object of copyright or related rights, the name of the author or other right holder, and in the case of transfer of rights under agreements on mutual representation of interests with an	gross

	organization managing property rights on a collective basis, the name of such organization, and royalty rates	
13.	Absence of information about the organization's representatives on the organization's Internet resource	significant
14.	Absence on the Internet resource of the organization of information on license agreements concluded with users, including the name of the user and its location, as well as the date of conclusion of such an agreement	significant
15.	Absence on the Internet resource of the organization of information on bilateral and multilateral agreements concluded with foreign organizations managing property rights on a collective basis	minor
16.	Absence of reports submitted by the organization to copyright and related rights holders through their personal accounts on the Internet resource of the organization, containing information on the use of their rights , including the amount of remuneration collected and the amounts withheld from it	gross
17.	Absence of supporting materials on the measures taken to identify the right holders entitled to remuneration in accordance with the licensing and remuneration agreements concluded by this organization, including the use for this purpose of information received from other organizations managing property rights on a collective basis, mass media distributed throughout the territory of the Republic of Kazakhstan	significant
18.	Absence of materials confirming that measures have been taken to search for authors, performers, producers of phonograms, producers of audiovisual works and other right holders for the transfer of collected remuneration	significant
19.	Absence of consents of members of the organization concerning the allocation of amounts of collected remuneration to special funds	gross

20.	Failure to notify of the general meeting and ensure access to it by a representative of the authorized body	significant
21.	The application of the copyright royalties for the use of plays ( original dramatic works) through public performance as a percentage of the amount of gross receipts from the sale of tickets for the public performance of one work or program , from the amounts of guaranteed payment under the contract or from other amounts of income is lower than the following: for multi-act works in prose - 11 for one-act works in prose - 5.5 for multi-act works in verse - 13 for one-act works in verse - 6.5	gross
22.	The application of copyright royalties for the use of plays for children (original dramatic works) through public performance as a percentage of the gross receipts from the sale of tickets for the public performance of one work or program , from the amounts of guaranteed payment under the contract or from other amounts of income is lower than the following: for multi-act works in prose - 12 for one-act works in prose - 6 for multi-act works in verse - 13 for one-act works in verse - 7	gross
23.	The application of copyright royalties for the use of plays in puppet performance (original dramatic works) through public performance as a percentage of the amount of gross receipts from the sale of tickets for the public performance of one work or program , from the amounts of guaranteed payment under the contract or from other amounts of income lower than the following: for multi-act works in prose - 14 for one-act works in prose - 9 for multi-act works in verse - 15 for one-act works in verse - 10	gross
	The application of copyright royalties for the use of staging through public performance as a	



24.	percentage of the gross receipts from ticket sales for the public performance of a single work or program, from amounts of guaranteed payment under a contract , or from other amounts of income below the following: For staged performances of works not protected by copyright: for multi-act works - 7.5 for one-act works - 5	gross
25.	The application of copyright royalties for the use of stagings through public performance as a percentage of the gross receipts from ticket sales for a public performance of a single work or program, from amounts of guaranteed payment under a contract, or from other amounts of income below the following: For stagings of copyrighted works: for multi-act works - 10.5 for one-act works - 5	gross
26.	The application of copyright royalties for the use of translated dramatic works through public performance as a percentage of the gross receipts from ticket sales for a public performance of a single work or program, from amounts guaranteed by contract, or from other amounts of income below the following: For translations of non-copyrighted plays: for multi-act works in prose - 6.5 for one-act works in prose - 4 for multi-act works in verse - 7.5 for one-act works in prose - 4	gross
27.	The application of copyright royalties for the use of translated dramatic works through public performance as a percentage of the gross receipts from ticket sales for a public performance of a single work or program, from amounts guaranteed by contract, or from other amounts of income below the following: for translations of copyrighted plays: for multi-act works in prose - 9.5	gross

	<p>for single-act works in prose - 5.5  for multi-act works in verse - 11.5  for one-act works in verse - 6</p>	
28.	<p>The application of copyright royalties for the use of translated dramatic works through public performance as a percentage of the gross receipts from ticket sales for a public performance of a single work or program, from amounts guaranteed payment under a contract , or from other amounts of income below the following:  For a translation of a copyrighted dramatization:  for multi-act works - 10.5  for one-act works - 5</p>	gross
29.	<p>The application of copyright royalties for the use of musical-dramatic works through public performance as a percentage of the gross receipts from ticket sales for a public performance of a single work or program, from amounts of guaranteed payment under a contract , or from other amounts of income below the following:  for opera:  for multi-act works - 18.5  for one-act works - 8</p>	gross
30.	<p>The application of copyright royalties for the use of musical-dramatic works through public performance as a percentage of the gross receipts from ticket sales for a public performance of a single work or program, from amounts of guaranteed payment under a contract , or from other amounts of income below the following:  for opera when the libretto is translated:  for multi-act works - 18.5  for one-act works - 8</p>	gross
31.	<p>The application of copyright royalties for the use of musical-dramatic works through public performance as a percentage of the gross receipts from ticket sales for the public performance of a single work or program, from guaranteed contractual payment</p>	gross

	<p>amounts, or from other amounts of income below the following:</p> <p>for ballet:</p> <p>for multi-act works - 15</p> <p>for one-act works - 7</p>	
32.	<p>The application of copyright royalties for the use of musical-dramatic works through public performance as a percentage of the gross receipts from ticket sales for the public performance of a single work or program, from amounts of guaranteed payment under a contract, or from other amounts of income below the following:</p> <p>For operetta, musical comedy, musical:</p> <p>for multi-act works - 12</p> <p>for one-act works - 5.5</p>	gross
33.	<p>The application of copyright royalties for the use of musical-dramatic works through public performance as a percentage of the gross receipts from ticket sales for the public performance of a single work or program, from amounts of guaranteed payment under a contract, or from other amounts of income below the following:</p> <p>for an operetta, musical comedy, or musical when the text is translated:</p> <p>for multi-act works - 12.5</p> <p>for one-act works - 6</p>	gross
34.	<p>The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of the gross receipts from the sale of tickets for the public performance of a single work or program, from the amounts of guaranteed payment under a contract, or from other amounts of income below the following:</p> <p>for music accompanying dramatic works - 1 (for each act accompanied by music)</p>	gross
	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs</p>	

35.	<p>through public performance as a percentage of the amount of gross receipts from the sale of tickets for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income below the following: for a concert of symphonic, vocal-symphonic, chamber works for folk instruments, choreographic concert - 7</p>	gross
36.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the amount of gross receipts from the sale of tickets for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income below the following: for concerts, including pop concerts, aytises and termes - 4</p>	gross
37.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the amount of gross receipts from the sale of tickets for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income below the following: for a circus program - 1.5</p>	gross
38.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the amount of gross receipts from the sale of tickets for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income below the following: for the performance in a circus program of a pantomime, extravaganza, ballet which occupies at least one independent section - 1 (for each section)</p>	gross

39.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the amount of gross receipts from the sale of tickets for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income below the following: for the performance in a circus program of a story attraction which occupies at least one independent section - 1 (for each section)</p>	gross
40.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the amount of gross receipts from the sale of tickets for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income below the following: for the performance of original music specially written to accompany a circus pantomime, extravaganza, ballet, attraction which occupies at least one independent section - 0.5 (for each section regardless of the charges for the performance of these programs)</p>	gross
41.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the amount of gross receipts from the sale of tickets for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income below the following: for theatrical, variety, and New Year's tree performances with a through plot - 3</p>	gross
	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the amount of gross</p>	

42.	<p>receipts from the sale of tickets for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income below the following: for music accompanying the performance of marionette puppets (without literary text) and performances of artists of original genres (illusionists, psycho-experimenters, psychics) - 0.5</p>	gross
43.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the amount of gross receipts from the sale of tickets for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income below the following: For the performance of musical works with or without text (both public performance of works by performing artists and public performance of phonograms) at paid admission: 1) at dance floors, discotheques, clubs, cafes, restaurants, casinos, both at paid entrance and from the sums of guaranteed payment, including the cost of membership fees, club cards and the like - 4 2) on transport (in planes, trains) - 0.001 (from the cost of tickets)</p>	gross
44.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts from the sale of tickets for the public performance of a single work or program, from the amounts of guaranteed payment under the contract or from other amounts of income below the following: for the performance of musical works with or without text as accompaniment to sports competitions, exhibition</p>	gross

	performances of athletes, game attractions, fashion shows, exhibitions, fairs, festivals, contests and other events performed in mass arenas at paid admission - 1 (for the entire program)	
45.	<p>The application of copyright royalties for the use of musical works with or without text in cinemas, video salons and other public places during the demonstration of audiovisual works (cinematographic, television and video films) is as follows:</p> <p>for the use of musical works with or without text during the demonstration of audiovisual works (cinemas, TV and video films) in cinemas, video salons and other public places - 1</p>	gross
46.	<p>The application of the copyright royalties for the public performance of musical works with or without text, literary works with free admission for listeners:</p> <p>For the performance of musical works with or without text, literary works both by performing artists and when performed with the help of technical means (players of any sound media) at free admission is lower than the following:</p> <ol style="list-style-type: none"> <li>1) at discotheques - 3 monthly calculation indices;</li> <li>2) in night clubs - 3 monthly calculation indices;</li> <li>3) in restaurants - 2 monthly calculation indices;</li> <li>4) in cafes - 1.5 monthly calculation indices;</li> <li>5) in cinemas, casinos, bars, bistros, canteens, open-air playgrounds, game attractions and other public places - 0.5 monthly calculation indices.</li> </ol>	gross
47.	<p>The application of the copyright royalties as a percentages for the use of works through public communication is as follows:</p> <p>for broadcasting of released works - 1% (of the total amount of income)</p>	gross

48.	The application of the copyright royalties as a percentages for the use of works through public communication is as follows: 3% (of the total amount of income) for cable communication of released works	gross
49.	The application of the copyright royalties as a percentage for the use of works through public communication is as follows: for communication of works by satellite television - 4% (of the total amount of income)	gross
50.	The application of the copyright royalties for reproduction and (or) distribution of works is as follows: for the reproduction (duplication) and (or) distribution of works in sound recording - 3% - of the selling price of each released copy of a sound recording (regardless of the number of works recorded on sound recording media)	gross
51.	The application of the copyright royalties for reproduction and (or) distribution of works is lower than the following: for reproduction and distribution of works as melodies (ringtones) for cellular (mobile) phones - 10% - of the income for the use of the work	gross
52.	The application of the copyright royalties for the reproduction and (or ) distribution of works is lower than the following: for renting copies of sound recordings and (or) audiovisual works - 1 monthly calculation index	gross
53.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public are as follows: in cafes, bars (per month for each seat) for paid admission - 0.2 of the monthly calculation index For free admission - 0.1 of the monthly calculation index.	gross



54.	<p>The application of royalty rates for the use of performances and phonograms through public performance, exhibition, communication and making available to the public are as follows:</p> <p>in restaurants (per month per seat)  for paid admission - 0.25 of the monthly calculation index  For free admission, 0.15 of the monthly calculation index</p>	gross
55.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public are as follows:</p> <p>at public catering facilities (per month for each seat)  at paid entrance - 0.008 of the monthly calculation index  For free admission - 0.004 of the monthly calculation index.</p>	gross
56.	<p>The application of royalty rates for the use of performances and phonograms through public performance, exhibition, communication and making available to the public is as follows:</p> <p>in nightclubs (per month per seat)  for paid admission - 1% of the income from ticket sales  for free admission - 0.2 of the monthly calculation index</p>	gross
57.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public are as follows:</p> <p>in casinos, gambling establishments (per month for each seat) - 0.4 of the monthly calculation index</p>	gross
58.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows:</p> <p>in cultural and entertainment centers, complexes (per month for each square meter of the sound-covered</p>	gross

	area) - 0.05 of the monthly calculation index	
59.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public are as follows:</p> <p>in sports and recreation centers, complexes (per month for each square meter of the sound-covered area)</p> <p>at paid entrance - 0.01 of the monthly calculation index</p> <p>at free entrance - 0.001 of the monthly calculation index</p>	gross
60.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows:</p> <p>at fairs, exhibitions, fashion shows, beauty and professional skill contests (per month for each square meter of the sound-covered area)</p> <p>at paid entrance - 0.02 of the monthly calculation index</p> <p>for free admission - 0.002 of the monthly calculation index</p>	gross
61.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows:</p> <p>in hotels, sanatoriums, rest homes and boarding houses (per month per unit of technical means used for public performance, display, communication and making available to the public) - 0.2 of the monthly calculation index</p>	gross
62.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows:</p> <p>for means of passenger transportation (from the income</p>	gross

	derived from the sale of each ticket) - 0.001 %	
63.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows: at sports competitions, exhibition performances of athletes (from the income received at each event) with paid admission - 0,05 % with free admission - 0.001 %	gross
64.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows: in places for mass skating, roller skating (per month for each square meter of premises (territory) used for these purposes) with paid admission - 0.05 of the monthly calculation index with free admission - 0.01 of the monthly calculation index	gross
65.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows: in theaters, cinema halls (per month for each square meter of the sounded premises) with paid admission - 0.01 of the monthly calculation index with free admission - 0.001 of the monthly calculation index	gross
66.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is lower than the following: in cultural and leisure organizations (parks of culture and leisure, houses and palaces of culture, water parks) (per month for each square meter of the sounded territory (room) with	gross

	<p>paid admission - 0.01 of the monthly calculation index</p> <p>with free admission - 0.001 of the monthly calculation index</p>	
67.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is lower than the following:</p> <p>in trading houses, stores, trading markets (per month for each square meter of the sounded territory) - 0.002 of the monthly calculation index</p>	gross
68.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows:</p> <p>for theatrical, concert, circus programs (from the income received as a result of the event)</p> <p>with paid admission - 0,02 %</p> <p>with free admission - 0.01 %</p>	gross
69.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows:</p> <p>for mass events, city days, holidays, festivals (from the income received as a result of the event)</p> <p>with paid admission - 0.02 %</p> <p>with free admission - 0.01 %</p>	gross
70.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows:</p> <p>through jukebox and karaoke systems (per month for each jukebox and karaoke system)</p> <p>with paid admission - 0.2 of the monthly calculation index</p> <p>with free admission 0.1 monthly calculation index</p>	gross

71.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows: by terrestrial television broadcasters (from income received from advertising) - 0.1%	gross
72.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows: by terrestrial radio broadcasting organizations (from income received from advertising) - 0.1%	gross
73.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows: by cable (wire), satellite television broadcasting organizations (per month from the subscriber fee received for cable, satellite television services) - 0.1%	gross
74.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public is as follows: by cable (wire), satellite radio broadcasting organizations (per month from the subscriber payment received for cable, satellite radio broadcasting services) - 0.1%	gross
75.	The application of royalty rates for the use of performances and phonograms by reproduction (duplication) and (or) distribution for profit is lower than the following: for reproduction (duplication) and (or) distribution of performances in sound and audiovisual recordings (from the selling price of each released copy, regardless of the number of performances) - 0.3 %	gross

76.	The application of royalty rates for the use of performances and phonograms by reproduction ( replication) and (or) distribution for profit is lower than the following: for reproduction and (or) distribution of performances and phonograms as music, melodies (ringtones, realtones ) and ring tones (ringback tones) for telephones (cell phones, smartphones , pocket personal computers), music apparatus systems, automata and karaoke (per month for each work used for each time of use) - 0.03 of the monthly calculation index	gross
77.	The application of royalty rates for the use of performances and phonograms by reproduction ( duplication) and (or) distribution for profit is lower than the following: for renting copies of performances in the form of sound recordings and (or ) audiovisual recordings (per month for each copy used) - 0.01 of the monthly calculation index	gross

Appendix 5  
to the risk assessment criteria  
of activities of organizations managing  
property rights on a collective basis

**Subjective criteria according to the "analysis of official Internet resources of state bodies, mass media" information resource**

**Footnote. Appendix 5 in the wording of the joint order of the Minister of Justice of the Republic of Kazakhstan dated 30.09.2022 № 822 and the Minister of National Economy of the Republic of Kazakhstan dated 30.09.2022 № 68 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

№	Criteria	Degree of violations
1.	Presence of an informational article, message or other form of information transfer on the confirmed fact of violation of copyright and related rights legislation by the subject of control within one year	minor
2.	Presence of three informational articles, messages and other forms of information transfer on confirmed facts of violation of copyright and related rights legislation by the subject of control within one year	significant

3.	Presence of five informational articles, messages and other forms of information transfer on confirmed facts of violation of copyright and related rights legislation by the subject of control within one year	gross
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Appendix 2 to the joint order of the Minister of Justice of the Republic of Kazakhstan dated April 22, 2019 № 218  
Minister of National Economy of the Republic of Kazakhstan dated April 29, 2019 №31

**Checklist for the activities of organizations managing property rights on a collective basis in the areas of copyright management**

Footnote. Checklist in the wording of the joint order of the Minister of Justice of the Republic of Kazakhstan dated 30.09.2022 № 822 and the Minister of National Economy of the Republic of Kazakhstan dated 30.09.2022 № 68 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

with regard to organizations managing property rights on a collective basis in the field of copyright management

**name of the homogenous group of subjects of control**

\_\_\_\_\_

The state body that assigned the inspection/preventive control with a visit to the subject of control

\_\_\_\_\_

\_\_\_\_\_

Act on assignment of inspection/preventive control with a visit to the subject of control

\_\_\_\_\_

№, date

Name of the subject of control \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

Location address

№	List of requirements	Meets the requirements	Does not meet the requirements

1	2	3	4
1.	Submission of an annual report to the authorized body		
2.	Submission of an annual report to the authorized body no later than April 15 following the reporting period		
3.	Submission of an audit report to the authorized body at least once every two years		
4.	Submission of an audit report to the authorized body at least once every two years not later than April 15 following the reporting period		
5.	Not exceeding thirty percent of the total amount of fees collected to cover its actual costs of collection, distribution and disbursement of fees, as well as amounts allocated to special funds		
6.	Availability of agreements on transferring to organizations managing property rights on a collective basis the authority to manage the rights of authors and other right holders		
7.	Availability of reports submitted by the organization to copyright holders through their personal accounts on the Internet resource of the organization, containing information on the use of their rights, including the amount of remuneration collected and the amounts withheld from it.		
8.	Availability of registers containing information on rights holders, on rights		



	transferred to it for management, as well as on copyright objects		
9.	Availability of supporting materials on measures taken to identify right holders entitled to remuneration in accordance with license and remuneration agreements concluded by this organization, including the use for this purpose of information received from other organizations managing property rights on a collective basis, mass media distributed throughout the territory of the Republic of Kazakhstan		
10.	Availability of materials confirming that measures have been taken to search for authors and other right holders for remittance of collected copyright royalties		
11.	Availability of consents of members of the organization on allocation of amounts of collected remuneration to special funds		
12.	Publication on the Internet resource of the organization within one month from the date of approval (signing) of the auditor's report and the results of the audit together with the relevant accounting (financial) statements, which should be publicly available to right holders for five years		
13.	Availability of publicized reports sent to the authorized body, in mass media distributed throughout the territory of the Republic of Kazakhstan , on its Internet resource		

14.	Availability of an Internet resource to inform about the activities of the organization managing property rights on a collective basis		
15.	Ensuring that the Internet resource is available 24 hours a day, that the information posted on it is open, and that such information is provided free of charge		
16.	Availability on the Internet resource of the organization of information on the rights transferred to the organization for management, including the name of the copyright object, the name of the author or other right holder , and in case of transfer of rights under mutual representation of interests agreements with an organization managing property rights on a collective basis, the name of such an organization, and royalty rates		
17.	Availability on the Internet resource of the organization of information on license agreements concluded with users, including the name of the user and its location, as well as the date of conclusion of such an agreement		
18.	Availability on the Internet resource of the organization of information on concluded bilateral and multilateral agreements with foreign organizations managing property rights on a collective basis		
19.	Availability of information about the organization's		

	representatives on the Internet resource of the organization		
20.	Availability of a notice of the general meeting and ensuring access to it by a representative of the authorized body		
21.	<p>The application of copyright royalties for the use of plays (original dramatic works) through public performance as a percentage of the gross receipts from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for multi-act works in prose – 11  for one-act works in prose – 5,5  for multi-act works in verse – 13  for one-act works in verse – 6,5</p>		
22.	<p>The application of copyright royalties for the use of plays for children (original dramatic works) through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for multi-act works in prose – 12  for one-act works in prose – 6  for multi-act works in verse – 13  for one-act works in verse – 7</p>		

23.	<p>The application of copyright royalties for the use of puppet plays (original dramatic works) through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for multi-act works in prose – 14  for one-act works in prose – 9  for multi-act works in verse – 15  for one-act works in verse – 10</p>		
24.	<p>The application of copyright royalties for the use of stagings through public performance as a percentage of the amount of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for stagings not protected by copyright:  for multi-act works – 7,5  for one-act works – 5</p>		
25.	<p>The application of copyright royalties for the use of stagings through public performance as a percentage of the amount of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p>		

	<p>for stagings of works protected by copyright:  for multi-act works – 10,5  for one-act works – 5</p>		
26.	<p>The application of copyright royalties for the use of translated dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:  for translations of plays not protected by copyright:  for multi-act works in prose – 6,5  for one-act works in prose – 4  for multi-act works in verse – 7,5  for one-act works in prose – 4</p>		
27.	<p>The application of copyright royalties for the use of translated dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:  for translations of plays protected by copyright:  for multi-act works in prose – 9,5  for one-act works in prose – 5,5  for multi-act works in verse – 11,5  for one-act works in verse – 6</p>		

28.	<p>The application of copyright royalties for the use of translated dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for translation of a staging, protected by copyright:</p> <p>for multi-act works – 10,5 for one-act works – 5</p>		
29.	<p>The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for opera :</p> <p>for multi-act works – 18,5 for one-act works – 8</p>		
30.	<p>The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for opera when translating a libretto:</p> <p>for multi-act works – 18,5 for one-act works – 8</p>		

31.	<p>The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for ballet: for multi-act works – 15 for one-act works – 7</p>		
32.	<p>The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for operetta, musical comedy, musical: for multi-act works – 12 for one-act works – 5,5</p>		
33.	<p>The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for operetta, musical comedy, musical when translating a text:</p>		

	for multi-act works – 12,5 for one-act works – 6		
34.	The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than: for music accompanying dramatic works - 1 (for each act accompanied by music)		
35.	The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than: for a concert of symphonic, vocal-symphonic, chamber works for folk instruments, a choreographic concert – 7		
36.	The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed		



	<p>payment under the contract or from other amounts of income not lower than:</p> <p>for concerts, including pop concerts, airtises and termes – 4</p>		
37.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for the circus program – 1,5</p>		
38.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for the performance in the circus program of pantomime, extravaganza, ballet, which occupies at least one independent section – 1 (for each section)</p>		
	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from</p>		

39.	<p>ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for the performance in the circus program of a plot attraction which occupies at least one independent section – 1 (for each section)</p>		
40.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for the performance of original music specially written to accompany a circus pantomime, extravaganza, ballet, attraction, occupying at least one independent section – 0,5 (for each section regardless of the accruals for the execution of these programs)</p>		
41.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed</p>		

	<p>payment under the contract or from other amounts of income not lower than: for theatricalized, variety, New Year's tree performances with a cross-cutting plot – 3</p>		
42.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than: for music accompanying the performance of marionette puppets (without literary text) and performances of artists of original genres (illusionists, psycho-experimentalists, psychics) – 0,5</p>		
43.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than: for the performance of musical works with or without text (both public performance of works by performing artists and public performance of phonograms) with paid admission:</p>		

	<p>1) at dance floors, discos, clubs, cafes, restaurants, casinos, both with paid admission and from sums of guaranteed payment, including the cost of membership fees, club cards and the like – 4</p> <p>2) in transportation (on planes, trains) – 0,001 (of the ticket price)</p>		
44.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for the performance of musical works with or without lyrics as an accompaniment to sports competitions, exhibition performances of athletes, game attractions, показа мод, exhibitions, fairs, festivals, contests and other events performed in mass arenas with paid admission – 1 (for the entire program)</p>		
45.	<p>The application of copyright royalties for the use of musical works with or without text in cinemas, video salons and other public places during the demonstration of audiovisual works (cinema, TV and video films) not lower than:</p> <p>for the use of musical works with or without lyrics when showing audiovisual works (cinema, television and video films)</p>		

	in cinemas, video salons and other public places – 1		
46.	<p>The application of the copyright royalties for the public performance of musical works with or without lyrics, literary works with free admission for listeners:</p> <p>for the performance of musical works with or without text, literary works both by artists-performers and when performed with the help of technical means (players of any sound media) with free admission not lower than:</p> <ol style="list-style-type: none"> <li>1) at discotheques – 3 monthly calculated indices</li> <li>2) in nightclubs – 3 monthly calculated indices</li> <li>3) in restaurants – 2 monthly calculated indices</li> <li>4) in cafes – 1,5 monthly calculated indices</li> <li>5) in movie theaters, casinos, bars, bistros, canteens, outdoor areas, amusement arcades and other public places – 0,5 monthly calculated indices</li> </ol>		
47.	<p>The application of the copyright royalties as a percentage for the use of works by public communication not lower than:</p> <p>for broadcasting works that have been published – 1% (of the total amount of income)</p>		
48.	<p>The application of the copyright royalties as a percentage for the use of works by public communication not lower than:</p> <p>for the cablecasting of works that have been published – 3% (of the total amount of income)</p>		

49.	<p>The application of the copyright royalties as a percentage for the use of works by public communication not lower than:</p> <p>for the communication of works by satellite television – 4% (of the total amount of income)</p>		
50.	<p>The application of the copyright royalties for the reproduction and (or) distribution of works not lower than:</p> <p>for reproduction (duplication) and (or) distribution of works in sound recordings – 3% - of the selling price of each record produced (regardless of the number of works recorded on sound recording media)</p>		
51.	<p>The application of the copyright royalties for the reproduction and (or) distribution of works not lower than:</p> <p>for reproduction and distribution of works as melodies (ringtones) for cellular (mobile) phones – 10% - of income for the use of the work</p>		
52.	<p>The application of the copyright royalties for the reproduction and (or) distribution of works not lower than:</p> <p>for renting copies of sound recordings and (or) audiovisual works for rent (hire) – 1 monthly calculated index</p>		

Official (s) (a) \_\_\_\_\_  
position, signature

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surname, name, patronymic (if any)

Head of the subject of control \_\_\_\_\_

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position, signature

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surname, name, patronymic (if any)

Appendix 3 to the joint  
order of the Minister of Justice  
of the Republic of Kazakhstan  
dated April 22, 2019 № 218  
Minister of National Economy  
of the Republic of Kazakhstan  
dated April 29, 2019 № 31

**Checklist for the activities of organizations managing деятельностью  
property rights on a collective basis in the fields of related rights management**

Footnote. Checklist in the wording of the joint order of the Minister of Justice of the Republic of Kazakhstan dated 30.09.2022 № 822 and the Minister of National Economy of the Republic of Kazakhstan dated 30.09.2022 № 68 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

with regard to organizations managing property rights on a collective basis в сферах  
управления смежными правами

**name of the homogenous group of subjects of control**

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The state body that assigned the inspection/preventive control with  
a visit to the subject of control

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Act on assignment of inspection/preventive control with a visit to the subject of control

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№, date

Name of the subject of control \_\_\_\_\_

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

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Location address \_\_\_\_\_

№	List of requirements	Meets the requirements	Does not meet the requirements

1	2	3	4
1.	Submission of an annual report to the authorized body		
2.	Submission of an annual report to the authorized body no later than April 15 following the reporting period		
3.	Submission of an audit report to the authorized body at least once every two years		
4.	Submission of an audit report to the authorized body at least once every two years no later than April 15		
5.	Not exceeding thirty percent of the total amount of fees collected to cover its actual costs of collection, distribution and disbursement of fees, as well as amounts allocated to special funds		
6.	Availability of agreements on the transfer to organizations managing property rights on a collective basis of authority to manage the rights of performers, producers of phonograms, producers of audiovisual works and other rights holders		
7.	Availability of reports submitted by the organization to holders of related rights through their personal accounts on the Internet resource of the organization, containing information on the use of their rights, including the amount of remuneration collected and the amounts withheld from it, as well as the amount of remuneration sent to the special fund		



8.	Availability of registers containing information on rights holders, on rights transferred to it for management, as well as on objects of related rights		
9.	Availability of supporting materials on measures taken to identify right holders entitled to remuneration in accordance with license and remuneration agreements concluded by this organization, including the use for this purpose of information received from other organizations managing property rights on a collective basis, mass media distributed throughout the territory of the Republic of Kazakhstan		
10.	Availability of materials confirming that measures have been taken to search for performers, phonogram producers, producers of audiovisual works and other right holders for the transfer of collected remuneration		
11.	Availability of consents of members of the organization on allocation of amounts of collected remuneration to special funds		
12.	Publication on the Internet resource of the organization within one month from the date of approval of the audit report and the results of the audit together with the relevant accounting (financial) statements, which must be publicly available to right holders for five years		
	Availability of publicized reports sent to the authorized body, in mass media distributed		

13.	throughout the territory of the Republic of Kazakhstan , on its Internet resource		
14.	Availability of an Internet resource to inform about the activities of the organization managing property rights on a collective basis		
15.	Ensuring that the Internet resource is available 24 hours a day, that the information posted on it is open, and that such information is provided free of charge		
16.	Availability on the Internet resource of the organization of information on the rights transferred to the organization for management, including the name of the object of related rights, the name of the performer, producer of a phonogram, producer of an audiovisual work or other right holder, and, in the case of transfer of rights under agreements on mutual representation of interests with an organization managing property rights on a collective basis, the name of such an organization, and rates of remuneration		
17.	Availability on the Internet resource of the organization of information on license agreements concluded with users, including the name of the user and its location, as well as the date of conclusion of such an agreement		
18.	Availability on the Internet resource of the organization of information on concluded bilateral and multilateral agreements with foreign organizations		

	managing property rights on a collective basis		
19.	Availability of information about the organization's representatives on the Internet resource of the organization		
20.	Availability of a notice of the general meeting and ensuring access to it by a representative of the authorized body		
21.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: in cafes, bars (per month for each seat)) with paid admission – 0,2 monthly calculated index with free admission – 0,1 monthly calculated index		
22.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: in restaurants (per month for each seat) with paid admission – 0,25 monthly calculated index with free admission – 0,15 monthly calculated index		
23.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: in catering facilities (per month for each seat)		

	<p>with paid admission – 0,008 monthly calculated index</p> <p>with free admission – 0,004 monthly calculated index</p>		
24.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in nightclubs (per month for each seat)</p> <p>with paid admission – 1 % from ticket sales income</p> <p>with free admission – 0,2 monthly calculated index</p>		
25.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in casinos, gambling establishments (per month for each seat) – 0,4 monthly calculated index</p>		
26.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in cultural and entertainment centers, complexes (per month for each square meter of the sound-covered area) – 0,05 monthly calculated index</p>		
	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and</p>		

27.	<p>making available to the public not lower than:</p> <p>in sports and recreation centers, complexes (per month for each square meter of sound-covered area)</p> <p>with paid admission – 0,01 monthly calculated index</p> <p>with free admission – 0,001 monthly calculated index</p>		
28.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>at fairs, exhibitions, fashion shows, beauty and professional skill contests (per month for each square meter of sound-covered area)</p> <p>with paid admission – 0,02 monthly calculated index</p> <p>with free admission – 0,002 monthly calculated index</p>		
29.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in hotels, sanatoriums, rest homes and boarding houses (per month per unit of technical means used for public performance, display, communication and making available to the public) – 0,2 monthly calculated index</p>		
	<p>The application of royalty rates for the use of performances and phonograms through public performance, display,</p>		

30.	communication and making available to the public not lower than: for passenger transport means (of the income received from the sale of each ticket) – 0,001 %		
31.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: at sporting events, exhibition performances of athletes (of the income received from each event) with paid admission – 0,05 % with free admission – 0,001 %		
32.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: in places for mass skating, roller skating (per month for each square meter of premises (territory), used for these purposes) with paid admission – 0,05 monthly calculated index with free admission – 0,01 monthly calculated index		
33.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: in theaters, movie theaters (per month for each square meter of the sound-covered premise)		

	with paid admission – 0,01 monthly calculated index with free admission – 0,001 monthly calculated index		
34.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: in cultural and leisure organizations (parks of culture and leisure, houses and palaces of culture, water parks) (per month for each square meter of the sound-covered territory (premises) with paid admission – 0,01 monthly calculated index with free admission – 0,001 monthly calculated index		
35.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: in trading houses, stores, trade markets (per month for each square meter of the sound-covered area) – 0,002 monthly calculated index		
36.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: for theatrical, concert, circus programs (from the income received as a result of the event)		

	<p>with paid admission – 0,02 %</p> <p>with free admission – 0,01 %</p>		
37.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>for mass events, city days, holidays, festivals (from the income received as a result of the event)</p> <p>with paid admission – 0,02 %</p> <p>with free admission – 0,01 %</p>		
38.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>using jukebox and karaoke systems (per month per jukebox and karaoke)</p> <p>with paid admission – 0,2 monthly calculated index</p> <p>with free admission 0,1 monthly calculated index</p>		
39.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>on-air television broadcasting organizations, (from income received from advertising) – 0,1 %</p>		
	<p>The application of royalty rates for the use of performances and phonograms through public performance, display,</p>		



40.	communication and making available to the public not lower than: broadcasting organizations, (from income received from advertising) – 0,1 %		
41.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: cable (wire), satellite TV broadcasting organizations (per month from the received subscription fee for cable, satellite TV services) – 0,1 %		
42.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: cable (wire), satellite radio broadcasting organizations, (per month from the received subscription fee for cable, satellite radio broadcasting services) – 0,1 %		
43.	The application of royalty rates for the use of performances and phonograms by reproduction (duplication) and (or) distribution for profit shall not be lower: for reproduction (duplication) and (or) distribution of performances in sound and audiovisual recordings (from the selling price of each released copy, regardless of the number of performances) - 0.3%		
	The application of royalty rates for the use of		

44.	<p>performances and phonograms through reproduction (duplication) and (or) distribution for the purpose of making profit not lower than:</p> <p>for reproduction and (or) distribution of performances and phonograms as music, melodies (ringtones, realtones) and beeps (ringback tones) for telephones (cell phones, smartphones, pocket personal computers), Music, jukebox and karaoke systems (per month for each piece of music used for each time of use) – 0,03 monthly calculated index</p>		
45.	<p>The application of royalty rates for the use of performances and phonograms through reproduction (duplication) and (or) distribution for the purpose of making profit not lower than:</p> <p>for renting or leasing copies of performances in the form of sound recordings and (or) audiovisual recordings (per month for each copy used) – 0,01 monthly calculated index</p>		

Official (s) (a) \_\_\_\_\_  
position, signature

\_\_\_\_\_  
surname, name, patronymic (if any)

Head of the subject of control \_\_\_\_\_

\_\_\_\_\_  
position, signature

\_\_\_\_\_  
surname, name, patronymic (if any)

**Checklist for the activities of organizations managing property rights on a collective basis in the field of exercising the rights of authors, performers, producers of phonograms and audiovisual works to receive remuneration for the reproduction of phonograms and audiovisual works for personal purposes and without gaining profit**

Footnote. Checklist in the wording of the joint order of the Minister of Justice of the Republic of Kazakhstan dated 30.09.2022 № 822 and the Minister of National Economy of the Republic of Kazakhstan dated 30.09.2022 № 68 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

with regard to organizations managing property rights on a collective basis in the field of exercising the rights of authors, performers, producers of phonograms and audiovisual works to receive remuneration for the reproduction of phonograms and audiovisual works for personal purposes and without gaining profit

**name of the homogenous group of subjects of control**

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The state body that assigned the inspection/preventive control with a visit to the subject of control

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Act on assignment of inspection/preventive control with a visit to the subject of control

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№, date

Name of the subject of control \_\_\_\_\_

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

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Location address \_\_\_\_\_

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№	List of requirements	Meets the requirements	Does not meet the requirements
1	2	3	4
1.	Submission of an annual report to the authorized body		
2.	Submission of an annual report to the authorized body no later than April 15 following the reporting period		
3.	Submission of an audit report to the authorized body at least once every two years		
4.	Submission of an audit report to the authorized body at least once every two years no later than April 15		
5.	Not exceeding thirty percent of the total amount of fees collected to cover its actual costs of collection, distribution and disbursement of fees, as well as amounts allocated to special funds		
6.	Availability of agreements on transferring to organizations managing property rights on a collective basis the authority to manage the rights of authors, performers, producers of phonograms, producers of audiovisual works and other right holders		
7.	Availability of reports submitted by the organization to holders of copyright and related rights through their personal accounts on the Internet resource of the organization, containing information on the use of their rights, including the amount of remuneration		

	collected and the amounts withheld from it, as well as the amount of remuneration sent to the special fund		
8.	Availability of registers containing information on rights holders, on rights transferred to it for management, as well as on objects of copyright and related rights		
9.	Availability of supporting materials on measures taken to identify right holders entitled to remuneration in accordance with license and remuneration agreements concluded by this organization, including the use for this purpose of information received from other organizations managing property rights on a collective basis, mass media distributed throughout the territory of the Republic of Kazakhstan		
10.	Availability of materials confirming that measures have been taken to search for authors, performers, phonogram producers, producers of audiovisual works and other right holders for the transfer of collected remuneration		
11.	Availability of consents of members of the organization on allocation of amounts of collected remuneration to special funds		
12.	Publication on the Internet resource of the organization within one month from the date of approval of the audit report and the results of the audit together with the relevant accounting (financial) statements, which must be		

	publicly available to right holders for five years		
13.	Availability of publicized reports sent to the authorized body, in mass media distributed throughout the territory of the Republic of Kazakhstan , on its Internet resource		
14.	Availability of an Internet resource to inform about the activities of the organization managing property rights on a collective basis		
15.	Ensuring that the Internet resource is available 24 hours a day, that the information posted on it is open, and that such information is provided free of charge		
16.	Availability on the Internet resource of the organization of information on the rights transferred to the organization for management, including the name of the object of copyright or related rights, the name of the author or other right holder, and in the case of transfer of rights under agreements on mutual representation of interests with an organization managing property rights on a collective basis, the name of such organization, and remuneration rates		
17.	Availability on the Internet resource of the organization of information on license agreements concluded with users, including the name of the user and its location, as well as the date of conclusion of such an agreement		

18.	Availability on the Internet resource of the organization of information on concluded bilateral and multilateral agreements with foreign organizations managing property rights on a collective basis		
19.	Availability of information about the organization's representatives on the Internet resource of the organization		
20.	Availability of a notice of the general meeting and ensuring access to it by a representative of the authorized body		

Official (s) (a) \_\_\_\_\_

position, signature

\_\_\_\_\_  
surname, name, patronymic (if any)

Head of the subject of control \_\_\_\_\_

\_\_\_\_\_  
position, signature

\_\_\_\_\_  
surname, name, patronymic (if any)

Appendix 5 to the joint  
order of the Minister of Justice  
of the Republic of Kazakhstan  
dated April 22, 2019 № 218  
Minister of National Economy  
of the Republic of Kazakhstan  
dated April 29, 2019 №31

**Checklist for the activities of organizations managing property rights  
on a collective basis in the field of copyright management and related rights**

**Footnote. Checklist in the wording of the joint order of the Minister of Justice of the Republic of Kazakhstan dated 30.09.2022 № 822 and the Minister of National Economy of the Republic of Kazakhstan dated 30.09.2022 № 68 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

with regard to organizations managing property rights on a collective basis in the field of copyright management and related rights

**name of the homogenous group of subjects of control**

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The state body that assigned the inspection/preventive control with a visit to the subject of control

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Act on assignment of inspection/preventive control with a visit to the subject of control

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№, date

Name of the subject of control \_\_\_\_\_

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

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Location address \_\_\_\_\_

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№	List of requirements	Meets the requirements	Does not meet the requirements
1	2	3	4
1.	Submission of an annual report to the authorized body		
2.	Submission of an annual report to the authorized body no later than April 15 following the reporting period		
3.	Submission of an audit report to the authorized body at least once every two years		
4.	Submission of an audit report to the authorized body at least once every two years no later than April 15		
5.	Not exceeding thirty percent of the total amount of fees collected to cover its actual costs of collection, distribution and disbursement of fees, as well as amounts allocated to special funds		



6.	Availability of agreements on transferring to organizations managing property rights on a collective basis the authority to manage the rights of authors, performers, phonogram producers, producers of audiovisual works and other right holders		
7.	Availability of reports submitted by the organization to holders of copyright and related rights through their personal accounts on the Internet resource of the organization, containing information on the use of their rights, including the amount of remuneration collected and the amounts withheld from it, as well as the amount of remuneration sent to the special fund		
8.	Availability of registers containing information on rights holders, on rights transferred to it for management, as well as on objects of copyright and related rights		
9.	Availability of supporting materials on measures taken to identify right holders entitled to remuneration in accordance with license and remuneration agreements concluded by this organization, including the use for this purpose of information received from other organizations managing property rights on a collective basis, mass media distributed throughout the territory of the Republic of Kazakhstan		
	Availability of materials confirming that measures		

10.	have been taken to search for authors, performers, phonogram producers, producers of audiovisual works and other right holders for the transfer of collected remuneration		
11.	Availability of consents of members of the organization on allocation of amounts of collected remuneration to special funds		
12.	Publication on the Internet resource of the organization within one month from the date of approval of the audit report and the results of the audit together with the relevant accounting (financial) statements, which must be publicly available to right holders for five years		
13.	Availability of publicized reports sent to the authorized body, in mass media distributed throughout the territory of the Republic of Kazakhstan , on its Internet resource		
14.	Availability of an Internet resource to inform about the activities of the organization managing property rights on a collective basis		
15.	Ensuring that the Internet resource is available 24 hours a day, that the information posted on it is open, and that such information is provided free of charge		
	Availability on the Internet resource of the organization of information on the rights transferred to the organization for management, including the name of the object of copyright or related rights,		

16.	the name of the author or other right holder, and in the case of transfer of rights under agreements on mutual representation of interests with an organization managing property rights on a collective basis, the name of such organization, and remuneration rates		
17.	Availability on the Internet resource of the organization of information on license agreements concluded with users, including the name of the user and its location, as well as the date of conclusion of such an agreement		
18.	Availability on the Internet resource of the organization of information on concluded bilateral and multilateral agreements with foreign organizations managing property rights on a collective basis		
19.	Availability of information about the organization's representatives on the Internet resource of the organization		
20.	Availability of a notice of the general meeting and ensuring access to it by a representative of the authorized body		
21.	The application of copyright royalties for the use of plays (original dramatic works) through public performance as a percentage of the gross receipts from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:		

	<p>for multi-act works in prose – 11</p> <p>for one-act works in prose – 5,5</p> <p>for multi-act works in verse – 13</p> <p>for one-act works in verse – 6,5</p>		
22.	<p>The application of copyright royalties for the use of plays for children (original dramatic works) through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for multi-act works in prose – 12</p> <p>for one-act works in prose – 6</p> <p>for multi-act works in verse – 13</p> <p>for one-act works in verse – 7</p>		
23.	<p>The application of copyright royalties for the use of puppet plays (original dramatic works) through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for multi-act works in prose – 14</p> <p>for one-act works in prose – 9</p> <p>for multi-act works in verse – 15</p>		

	for one-act works in verse – 10		
24.	The application of copyright royalties for the use of stagings through public performance as a percentage of the amount of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than: for stagings not protected by copyright: for multi-act works – 7,5 for one-act works – 5		
25.	The application of copyright royalties for the use of stagings through public performance as a percentage of the amount of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than: for stagings of works protected by copyright: for multi-act works – 10,5 for one-act works – 5		
26.	The application of copyright royalties for the use of translated dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than: за перевод пьес, не охраняемых авторским правом:		

	<p>for multi-act works in prose – 6,5</p> <p>for one-act works in prose – 4</p> <p>for multi-act works in verse – 7,5</p> <p>for one-act works in prose – 4</p>		
27.	<p>The application of copyright royalties for the use of translated dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for translations of plays protected by copyright:</p> <p>for multi-act works in prose – 9,5</p> <p>for one-act works in prose – 5,5</p> <p>for multi-act works in verse – 11,5</p> <p>for one-act works in verse – 6</p>		
28.	<p>The application of copyright royalties for the use of translated dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for translation of a staging, protected by copyright:</p> <p>for multi-act works – 10,5</p> <p>for one-act works – 5</p>		
	<p>The application of copyright royalties for the</p>		

29.	<p>use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for opera :</p> <p>for multi-act works – 18,5</p> <p>for one-act works – 8</p>		
30.	<p>The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for opera when translating a libretto:</p> <p>for multi-act works – 18,5</p> <p>for one-act works – 8</p>		
31.	<p>The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for ballet:</p> <p>for multi-act works – 15</p> <p>for one-act works – 7</p>		
	<p>The application of copyright royalties for the use of musical and</p>		

32.	<p>dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for operetta, musical comedy, musical:  for multi-act works – 12  for one-act works – 5,5</p>		
33.	<p>The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for operetta, musical comedy, musical when translating a text:  for multi-act works – 12,5  for one-act works – 6</p>		
34.	<p>The application of copyright royalties for the use of musical and dramatic works through public performance as a percentage of gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for music accompanying dramatic works - 1 (for each act accompanied by music)</p>		



35.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for a concert of symphonic, vocal-symphonic, chamber works for folk instruments, a choreographic concert – 7</p>		
36.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for concerts, including pop concerts, airtises and termes – 4</p>		
37.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p>		

	for the circus program – 1,5		
38.	The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than: for the performance in the circus program of pantomime, extravaganza, ballet, which occupies at least one independent section – 1 (for each section)		
39.	The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than: for the performance in the circus program of a plot attraction which occupies at least one independent section – 1 (for each section)		
	The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from		

40.	<p>ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for the performance of original music specially written to accompany a circus pantomime, extravaganza, ballet, attraction, occupying at least one independent section – 0,5 (for each section regardless of the accruals for the execution of these programs)</p>		
41.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for theatricalized, variety, New Year's tree performances with a cross-cutting plot – 3</p>		
42.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p>		

	<p>for music accompanying the performance of marionette puppets (without literary text) and performances of artists of original genres (illusionists, psycho-experimentalists, psychics) – 0,5</p>		
43.	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for the performance of musical works with or without text (both public performance of works by performing artists and public performance of phonograms) with paid admission:</p> <p>1) at dance floors, discos, clubs, cafes, restaurants, casinos, both with paid admission and from sums of guaranteed payment, including the cost of membership fees, club cards and the like – 4</p> <p>2) in transportation (on planes, trains) – 0,001 (of the ticket price)</p>		
	<p>The application of copyright royalties for the use of concert, variety, circus, dance programs through public performance as a percentage of the gross receipts, received from ticket sales for the public performance of one work or program, from the</p>		

44.	<p>amounts of guaranteed payment under the contract or from other amounts of income not lower than:</p> <p>for the performance of musical works with or without lyrics as an accompaniment to sports competitions, exhibition performances of athletes, game attractions, показа мод, exhibitions, fairs, festivals, contests and other events performed in mass arenas with paid admission – 1 (for the entire program)</p>		
45.	<p>The application of copyright royalties for the use of musical works with or without text in cinemas, video salons and other public places during the demonstration of audiovisual works (cinema, TV and video films) not lower than:</p> <p>for the use of musical works with or without lyrics when showing audiovisual works (cinema, television and video films) in cinemas, video salons and other public places – 1</p>		
46.	<p>The application of the copyright royalties for the public performance of musical works with or without lyrics, literary works with free admission for listeners:</p> <p>for the performance of musical works with or without text, literary works both by artists-performers and when performed with the help of technical means (players of any sound media) with free admission not lower than:</p> <p>1) at discotheques – 3 monthly calculated indices 2) in nightclubs – 3 monthly calculated indices</p>		

	<p>3) in restaurants – 2 monthly calculated indices</p> <p>4) in cafes – 1,5 monthly calculated indices</p> <p>5) in movie theaters, casinos, bars, bistros, canteens, outdoor areas, game attractions – 0,5 monthly calculated indices</p>		
47.	<p>The application of the copyright royalties as a percentage for the use of works by public communication not lower than:</p> <p>for broadcasting works that have been published – 1% (of the total amount of income)</p>		
48.	<p>The application of the copyright royalties as a percentage for the use of works by public communication not lower than:</p> <p>for the cablecasting of works that have been published – 3% (of the total amount of income)</p>		
49.	<p>The application of the copyright royalties as a percentage for the use of works by public communication not lower than:</p> <p>for the communication of works by satellite television – 4% (of the total amount of income)</p>		
50.	<p>The application of the copyright royalties for the reproduction and (or) distribution of works not lower than:</p> <p>for reproduction (duplication) and (or) distribution of works in sound recordings – 3% - of the selling price of each record produced (regardless of the number of</p>		

	works recorded on sound recording media)		
51.	The application of the copyright royalties for the reproduction and (or) distribution of works not lower than: for reproduction and distribution of works as melodies (ringtones) for cellular (mobile) phones – 10% - of income for the use of the work		
52.	The application of the copyright royalties for the reproduction and (or) distribution of works not lower than: for renting copies of sound recordings and (or) audiovisual works for rent (hire) – 1 monthly calculated index		
53.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: in cafes, bars (per month for each seat) with paid admission – 0,2 monthly calculated index with free admission – 0,1 monthly calculated index		
54.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: in restaurants (per month for each seat) with paid admission – 0,25 monthly calculated index with free admission – 0,15 monthly calculated index		

55.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in catering facilities (per month for each seat)</p> <p>with paid admission – 0,008 monthly calculated index</p> <p>with free admission – 0,004 monthly calculated index</p>		
56.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in nightclubs (per month for each seat)</p> <p>with paid admission – 1 % from ticket sales income</p> <p>with free admission – 0,2 monthly calculated index</p>		
57.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in casinos, gambling establishments (per month for each seat) – 0,4 monthly calculated index</p>		
58.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in cultural and entertainment centers, complexes (per month for</p>		



	each square meter of the sound-covered area) – 0,05 monthly calculated index		
59.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in sports and recreation centers, complexes (per month for each square meter of sound-covered area)</p> <p>with paid admission – 0,01 monthly calculated index</p> <p>with free admission – 0,001 monthly calculated index</p>		
60.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>at fairs, exhibitions, fashion shows, beauty and professional skill contests (per month for each square meter of sound-covered area)</p> <p>with paid admission – 0,02 monthly calculated index</p> <p>with free admission – 0,002 monthly calculated index</p>		
61.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in hotels, sanatoriums, rest homes and boarding houses (per month per unit of technical means used for public performance,</p>		

	display, communication and making available to the public) – 0,2 monthly calculated index		
62.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: for passenger transport means (of the income received from the sale of each ticket) – 0,001 %		
63.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: at sports events, exhibition performances of athletes(of the income received from each event) with paid admission – 0,05 % with free admission – 0,001 %		
64.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: in places for mass skating, roller skating (per month for each square meter of premises (territory), used for these purposes) with paid admission – 0,05 monthly calculated index with free admission – 0,01 monthly calculated index		
	The application of royalty rates for the use of performances and		

65.	<p>phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in theaters, movie theaters (per month for each square meter of the sound-covered premise)</p> <p>with paid admission – 0,01 monthly calculated index</p> <p>with free admission – 0,001 monthly calculated index</p>		
66.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in cultural and leisure organizations (parks of culture and leisure, houses and palaces of culture, water parks) (per month for each square meter of the sound-covered territory (premises) with paid admission – 0,01 monthly calculated index</p> <p>with free admission – 0,001 monthly calculated index</p>		
67.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:</p> <p>in trading houses, stores, trade markets (per month for each square meter of the sound-covered area) – 0,002 monthly calculated index</p>		
	<p>The application of royalty rates for the use of performances and phonograms through public</p>		

68.	<p>performance, display, communication and making available to the public not lower than:  for theatrical, concert, circus programs (from the income received as a result of the event)  with paid admission – 0,02 %  with free admission – 0,01 %</p>		
69.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:  for mass events, city days, holidays, festivals (from the income received as a result of the event)  with paid admission – 0,02 %  with free admission – 0,01 %</p>		
70.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:  using jukebox and karaoke systems (per month per jukebox and karaoke)  with paid admission – 0,2 monthly calculated index  with free admission 0,1 monthly calculated index</p>		
71.	<p>The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than:  on-air television broadcasting organizations</p>		

	(from income received from advertising)) – 0,1 %		
72.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: air broadcasting organizations (from income received from advertising)) – 0,1 %		
73.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: cable (wireline), satellite television broadcasting organizations (per month from the subscriber fee received for cable, satellite television services) – 0,1 %		
74.	The application of royalty rates for the use of performances and phonograms through public performance, display, communication and making available to the public not lower than: cable (wire), satellite radio broadcasting organizations (per month from the received subscription fee for cable, satellite radio broadcasting services)) – 0,1 %		
75.	The application of royalty rates for the use of performances and phonograms through reproduction (duplication) and (or) distribution for the purpose of making profit not lower than: for reproduction (duplication) and (or)		

	distribution of performances in sound and audiovisual recordings (from the selling price of each released copy, regardless of the number of performances) – 0,3 %		
76.	The application of royalty rates for the use of performances and phonograms through reproduction (duplication) and (or) distribution for the purpose of making profit not lower than: for reproduction and (or) distribution of performances and phonograms as music, melodies (ringtones, realtones) and beeps (ringback tones) for telephones (cell phones, smartphones, pocket personal computers), Music, jukebox and karaoke systems (per month for each piece of music used for each time of use) – 0,03 monthly calculated index		
77.	The application of royalty rates for the use of performances and phonograms through reproduction (duplication) and (or) distribution for the purpose of making profit not lower than: for renting or leasing copies of performances in the form of sound recordings and (or) audiovisual recordings (per month for each copy used) – 0,01 monthly calculated index		

Official (s) (a) \_\_\_\_\_

position, signature

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surname, name, patronymic (if any)

Head of the subject of control \_\_\_\_\_

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position, signature

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surname, name, patronymic (if any)

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