



On approval of the Rules for the formation and placement of public service advertisements on obligatory TV and radio channels

Unofficial translation

Order of the Minister of Information and Social Development of the Republic of Kazakhstan dated May 14, 2019 no. 108. Registered with the Ministry of Justice of the Republic of Kazakhstan on May 15, 2019 no. 18680.

Unofficial translation

In accordance with sub-clause 1) of clause 2 of article 17-1 of the Law of the Republic of Kazakhstan dated December 19, 2003 "On Advertising" I HEREBY ORDER:

1. To approve the attached Rules for the formation and placement of public service advertisements on obligatory TV and radio channels.

2. The Department of State Policy in Mass Media of the Ministry of Information and Social Development of the Republic of Kazakhstan in accordance with the procedure established by the law shall ensure:

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

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

3) posting this order on the Internet resource of the Ministry of Information and Social Development of the Republic of Kazakhstan;

4) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submission to the Legal Department of the Ministry of Information and Social Development of the Republic of Kazakhstan of information about implementation of measures stipulated by sub-clauses 1), 2) and 3) of this clause.

3. Control over execution of this order shall be entrusted to the supervising Vice-Minister of Information and Social Development of the Republic of Kazakhstan.

4. This order shall come into force after the date of its first official publication.

*Minister of Information
and Social Development
of the Republic of Kazakhstan*

D. Abayev

"AGREED"

Ministry of National Economy
of the Republic of Kazakhstan

Approved

Rules for the formation and placement of public service advertisements on obligatory TV and radio channels

Chapter 1. General provisions

1. These Rules for the formation and placement of public service advertisements on obligatory TV and radio channels (hereinafter referred to as the Rules) have been developed in accordance with sub-clause 1) of clause 2 of article 17-1 of the Law of the Republic of Kazakhstan dated December 19, 2003 "On Advertising" and shall determine the procedure the formation and placement of public service advertisements on obligatory TV and radio channels.

2. In these Rules, the following definitions shall be used:

1) public service advertisements – information address to an indefinite circle of persons and aimed at reaching charitable and other socially useful objectives of non-commercial nature, as well as securing state interests;

2) copyright holder – individuals or legal entities that have received the exclusive right to use a work and (or) an object of related rights under a contract or other basis provided for by the Law of the Republic of Kazakhstan dated June 10, 1996 "On copyright and the related rights";

3) obligatory TV, radio channel – a TV, radio channel, included into a corresponding list, approved by the authorized body, obligatory for distribution through multichannel broadcasting throughout the territory of the Republic of Kazakhstan;

4) applicant – the copyright holder or other person, acting on behalf of the copyright holder on the basis of a power of attorney, executed in accordance with the Civil Code of the Republic of Kazakhstan, which has the right to submit an application for placement of public service advertisements on obligatory TV, radio channels;

5) Commission on the issues of development of television and radio broadcasting (hereinafter referred to as the Commission) – advisory body on the development of television and radio broadcasting, established under a state body that exercises state regulation in the field of broadcasting and the media;

6) authorized body – the state body carrying out state regulation in television and radio broadcasting and mass media.

Footnote. Clause 2 as amended by the order of the Minister of Information and Social Development of the Republic of Kazakhstan dated August 22, 2019 no. 294 (shall come into force after the date of its first official publication).

Chapter 2. Procedure for the formation and placement of public service advertisements on obligatory TV and radio channels

3. Public service advertisements on obligatory TV, radio channels shall be formed based on the following criteria:

1) compliance with technical parameters, set to a clip of public service advertisement, established in Annex 1 to these Rules;

2) meeting the requirements, established by the legislation of the Republic of Kazakhstan in advertising, television and radio broadcasting and charity.

4. To place public service advertisements on obligatory TV, radio channels, applicants shall submit the following documents to the authorized body:

1) the application for placement of public service advertisements on obligatory TV, radio channels according to Annex 2 to these Rules;

2) a clip of public service advertisement in Kazakh and Russian languages, on an external electronic medium, ensuring the consistency of the quality of the clip when it is transferred to other media;

3) document confirming the exclusive right to use the work and (or) the object of related rights;

4) the consent of the copyright holder in the case of submission of an application by a person acting on the basis of a power of attorney.

Footnote. Clause 4 as amended by the order of the Minister of Information and Social Development of the Republic of Kazakhstan dated August 22, 2019 no. 294 (shall come into force after the date of its first official publication).

5. The authorized body shall review the submitted applications and the attached documents for compliance with the requirements established by law of the Republic of Kazakhstan in advertising, television and radio broadcasting and charity and by these Rules, and shall notify of compliance or non-compliance of the application within a period not exceeding fifteen calendar days from the date of application submission by the applicant.

6. If the application meets the requirements stipulated by the legislation of the Republic of Kazakhstan in advertising, television and radio broadcasting and charity and these Rules, as well as the submission of a full package of documents, public service advertisements shall be submitted for consideration by the Commission established in accordance with article 11 of the Law of the Republic of Kazakhstan dated January 18, 2012 "On television and radio broadcasting" (hereinafter referred to as the Law), which meetings are held at least once every six months or as necessary.

7. Applications for the placement of public service advertisements on obligatory TV, radio channels shall be submitted no later than fifteen calendar days before the date of the meeting of the Commission.

8. The announcement of the meeting of the Commission shall be published on the official website of the authorized body at least one month before the day of its holding, indicating the deadline for accepting applications and the date of the meeting.

9. Consideration by the Commission of applications received after the deadline for the receipt of applications specified in the announcement shall be postponed to the next meeting of the Commission.

10. Applications that do not meet the criteria established by these Rules shall be brought into compliance and re-sent to the authorized body for consideration at the next meeting of the Commission.

11. The applicant or his authorized representatives shall be invited to a meeting of the Commission.

12. Public service advertisements shall be placed on obligatory TV, radio channels, if the majority of the members of the Commission present have voted for it. In case of a tie vote, the vote of the Chairman of the Commission shall be decisive.

13. The Secretary of the Commission shall draw up the minutes of the meeting of the Commission in the manner prescribed by the regulation of the Commission, approved in accordance with clause 4 of article 11 of the Law, which includes recommendations and proposals on placement of clips of public service advertisement on obligatory TV, radio channels.

14. Minutes of the meeting of the Commission shall be subject to posting on the Internet resource of the authorized body.

Annex 1
to the Rules for the formation and
placement of public service
advertisements on obligatory
TV and radio channels

Technical parameters set for a clip of public service advertisement

1. The video shall be submitted in encoded format DVCPRO HD (Digital Video Cassette Professional High Definition) or XDCAM HD (high-resolution recording format for professional, tapeless digital video recording) 50 Mbps, profile 4: 2: 2, 25 frames per second, with frame size HD1080 50i standard (1920x1080 pixels), scan type - interlaced, order of field construction - top field first, frame ratio 16: 9. Videofilecontainer: MXF (Material eXchange Format), MOV (media container for multimedia software).

2. Audio shall comply with the following specifications:

dynamic range, not less than 40 decibels;

frequency range, not less than 20 Hertz - 20,000 Hertz;

nonlinear distortion coefficient, not more than 1%;

stereophonic sound;

lack of acoustic reverberation ("Echo") of the signal during studio recording;

presence of 100% speech intelligibility;
the absence of extraneous sounds, noise, interference on the record;
Sound level:
maximum - 12 decibel;
intersound - 42 decibel.

3. The timing of one clip of public service advertisement shall be at least 30 (thirty) seconds.

4. Video material for posting on obligatory TV, radio channels is transmitted via FTP (File Transfer Protocol) or on HDD (Hard Disk Drive) or other digital media.

Annex 2
to the Rules for the formation and
placement of public service
advertisements on obligatory
TV and radio channels
Form

To the Ministry of Information and Social Development of the Republic of Kazakhstan

Application for placement of the public service advertisement on obligatory TV, radio channels

General information:

1. Surname, name, patronymic (if available) / name of the applicant:

2. Location: _____

3. Telephones /faxes numbers of the applicant: _____

4. Thematic scope: _____

5. Period of broadcasting of public service advertisement on obligatory TV and radio channels (_____ half year of 20__): _____

6. Name of legal entity / Surname, name, patronymic
(if available) of the individual, who is the copyright holder:

Hereby we guarantee compliance with the legislation on copyright and the related rights in relation of the copyright holder/s.

Signature of the head /

of individual entrepreneur /
of the head of the state body or his person performing his duties
Seal (if available) " ____ " _____ 20 ____