

On approval of the Rules for placement of external (visual) advertisements in the lane of public roads of international, republican, regional and district importance

Unofficial translation

Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 6 June 2019 No. 371. Registered with the Ministry of Justice of the Republic of Kazakhstan on 6 June 2019 No. 18803.

Unofficial translation

In accordance with subparagraph 1) of paragraph 3 of Article 17-1 of the Law of the Republic of Kazakhstan dated December 19, 2003 "On Advertising" and subparagraph 1) of Article 10 of the Law of the Republic of Kazakhstan dated April 15, 2013 "On Public Services" I HEREBY ORDER:

Footnote. The preamble is in the wording of the order of the Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated May 13, 2020 No. 286 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

1. To approve the attached Rules for placement of objects of external (visual) advertisement in the right-of-way of public roads of international, republican, regional and district significance and provision of public services "Coordination of placement of objects of external (visual) advertisement in the right-of-way of public roads of international and republican significance", "Coordination of placement of objects of external (visual) advertisement in the right-of-way of public roads of regional and district significance", in accordance with Annex 1 to this order.

Footnote. Paragraph 1 - is in the wording of the order of the Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated May 13, 2020 No. 286 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

- 2. To recognize as terminated certain orders of the Ministry of Investment and Development of the Republic of Kazakhstan, in accordance with Annex 2 to this order
- 3. The Roads Committee of the Ministry of Industry and Infrastructural 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;
- 2) within ten calendar days from the date of state registration of this order, send a copy hereof both in Kazakh and Russian languages to the Republican State Enterprise on the Right of Economic Management "Republican Center of Legal Information of the Ministry of Justice

of the Republic of Kazakhstan" for official publication and inclusion in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

- 3) placing this order on the Internet resource of the Ministry of Industry and Infrastructure Development of the Republic of Kazakhstan.
- 4. The control over the execution of this order shall be entrusted to the Supervising Vice Minister of Industry and Infrastructure Development of the Republic of Kazakhstan.
- 5. This order shall enter come into effect upon expiry ten calendar days after the date of its first official publication.

Minister of Industry and Infrastructure Development of the Republic of Kazakhstan

R. Sklyar

"AGREED"

The Ministry of Digital Development,
Defense and Aerospace Industry
of the Republic of Kazakhstan
"AGREED"
Ministry of Internal
Affairs of the Republic of Kazakhstan

Annex 1 to
Order of the Minister of Industry
and Infrastructure Development
of the Republic of Kazakhstan
dated 6 June 2019 No.371

Rules for the Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Roads of International, Republican, Oblast and District Importance

Footnote. The Rules - as reworded by order of the Acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan No. 340 from 15.06.2022 (shall come into effect upon expiry of sixty calendar days after the day of its first official publication).

Chapter 1. General provision

1. These Rules for the Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Roads of International, Republican, Oblast and District Importance and rendering public services "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Roads of International and National Importance", "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Roads of Regional and District Importance" (hereinafter referred to as the Rules) have been elaborated under sub-paragraph 1) of paragraph 3 of Article 17-1 of the Law of the Republic of Kazakhstan "On Advertising", Article 13 of the Law of the Republic of

Kazakhstan "On Public Services" and determine the procedure for placing outdoor (visual) advertising installations in the right-of-way of public highways of international, republican, regional and district importance.

- 2. For placing outdoor (visual) advertising installations in the right-of-way of public highways of international, republican, regional and district importance, natural persons and legal entities shall obtain approval from the regional branches of the National Company KazAutoZhol Joint-Stock Company and (or) the local executive body.
- 3. The application shall be accepted and the result of rendering the public service shall be issued via the e-government web portal (hereinafter referred to as the portal).

Chapter 2: The order of placing outdoor (visual) advertising installations in the right-of-way of public highways of international, republican, regional and district importance

- 4. Outdoor (visual) advertising installations shall be placed in the right-of-way of public highways of international, republican, regional and district importance based on the following :
- 1) receiving approval of placement of outdoor (visual) advertising installations in the right-of-way of public highways of international, republican importance with the branches of the National Company KazAutoZhol Joint Stock Company;
- 2) obtaining approval for placement of outdoor (visual) advertising installations in the right-of-way of highways of regional and district importance with local executive bodies;
 - 3) placement of an outdoor (visual) advertising installation.
- 5. The list of basic requirements for the placement of outdoor (visual) advertising installations in the right-of-way of public highways of international, republican, regional and district importance are stated in the Law of the Republic of Kazakhstan "On Advertising".
- 6. Owners of outdoor (visual) advertising installations shall maintain outdoor (visual) advertising installations in proper condition.

Chapter 3: Procedure for rendering the public service "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of International and Republican Importance"

7. To obtain the public service "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of International and Republican Importance", natural and legal persons (hereinafter referred to as the Service Recipient) shall forward to the Service Provider via the portal an application in the form of an electronic document as per Annex 1 hereto and an electronic copy of the sketch of the outdoor (visual) advertising installation of the document.

Upon submission of documents by the service recipient, under paragraph 8 of the standard of the public service "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of International and National Importance" as per

Annex 2 hereof (hereinafter - Standard 1), the status of acceptance of the request for the provision of the public service shall be shown in the personal profile of the service recipient.

The list of basic requirements for the placement of outdoor (visual) advertising installations in the right-of-way of public highways of international, republican, regional and district importance are laid down in the Law of the Republic of Kazakhstan "On Advertising"

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- 8. The list of basic requirements for the provision of public service "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of International and Republican Importance", including the characteristics of the process, form, content and result of the delivery, as well as other details, with due regard to the specifics of the provision of public service are provided under Standard 1.
- 9. The service provider shall register documents on the day of their receipt and transfer them to the service provider's performer for execution. When the service recipient applies after working hours, on weekends and holidays under the labour legislation of the Republic of Kazakhstan, applications shall be accepted, and the public service shall be registered on the following business day.
- 10. The term of consideration of documents and issuance of the result of rendering the public service shall be 5 (five) business days.
- 11. Within 1 (one) business day from the moment of registration of documents, the performer of the service provider shall examine the completeness of the documents presented.

Should the service-recipient fail to provide the full set of documents as per the list stipulated in paragraph 8 of Standard 1, and (or) documents with expired validity period, the service provider shall reject the application and send a notification to the personal profile of the service-recipient in the form of an electronic document signed with an electronic digital signature (hereinafter - EDS) of the authorised person of the service provider.

- 12. In case of filing a full package of documents by the service-recipient, within the terms specified in paragraph 10, the service provider shall examine the authenticity of the documents in compliance with the requirements stipulated hereby and the Law of the Republic of Kazakhstan "On Advertising", and issue a written approval of placement of outdoor (visual) advertising installations in the right-of-way of public highways of international and republican importance to be forwarded to the personal profile of the service-recipient in the form of an electronic document, signed by the service-recipient.
- 13. When there are grounds envisaged in paragraph 9 of Standard 1 of the public service "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of International and Republican Importance", the performer of the service provider shall notify the service recipient of the preliminary decision to refuse to render the public service, as well as the time, date and place (method) of the hearing to give the service recipient an opportunity to express his/her position on the preliminary decision.

Notification of the hearing shall be forwarded not less than 3 (three) business days prior to the end of the term of rendering the public service under Article 73 of the Administrative Procedural Code of the Republic of Kazakhstan. The hearing shall be held no later than 2 (two) business days from the date of notification.

Following the results of the hearing, the service recipient shall be issued a written approval of placement of outdoor (visual) advertising installations in the right-of-way of public highways of international and republican importance in the form of an electronic document signed with the EDS of the authorised person of the service provider or a motivated refusal to grant the public service shall be submitted.

14. The service provider shall ensure entering of data on the stage of providing a public service into the information system of monitoring the provision of public services, under sub-paragraph 11) of paragraph 2 of Article 5 of the Law of the Republic of Kazakhstan "On State Services".

Chapter 4. Procedure for rendering the public service "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of Regional and District Importance"

15. To obtain the public service "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of Regional and District Importance", natural persons and legal entities (hereinafter referred to as the service recipient) shall forward to the service provider via the portal an application in the form of an electronic document as per Annex 3 hereto and an electronic copy of the sketch of the outdoor (visual) advertising installation of the document.

When the service recipient files documents, under paragraph 8 of the standard of public service "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of Regional and District Importance" as per Annex 4 hereof (hereinafter referred to as Standard 2), the service recipient's "personal profile" shall display the status of acceptance of the request for the provision of public service.

The list of basic requirements for the placement of outdoor (visual) advertising installations in the right-of-way of public highways of international, republican, regional and district importance are laid down in the Law of the Republic of Kazakhstan "On Advertising"

- 16. The list of basic requirements for the provision of public service "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of Regional and District Importance" including the specifications of the process, form, content and result of the provision, as well as other data with due regard to the peculiarities of the provision of public service are outlined under Standard 2.
- 17. The service provider shall register documents on the day of their receipt and submit them to the service provider's performer for execution. When the service recipient applies

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after working hours, on weekends and holidays under the labour legislation of the Republic of Kazakhstan, acceptance of applications, registration of the public service shall be performed on the next business day.

- 18. The term of consideration of documents and issuance of the result of rendering the public service shall take 5 (five) business days.
- 19. Within 1 (one) business day from the moment of registration of documents, the performer of the service provider shall examine the full extent of the submitted documents.

Should the service-recipient fail to provide a complete set of documents as per the list stipulated in paragraph 8 of Standard 1, and (or) documents with expired validity period, the service provider shall refuse to accept the application and send a notification to the personal profile of the service-recipient in the form of an electronic document signed with an electronic digital signature (hereinafter - EDS) of the authorised person of the service provider.

- 20. Should the service-recipient submit a full package of documents, the service provider shall examine the authenticity of the documents presented under the terms specified in paragraph 18 pursuant to the requirements established herein and the Law of the Republic of Kazakhstan "On Advertising", and issue a written approval for the placement of outdoor (visual) advertising installations in the right-of-way of public highways of regional and district importance, which are sent to the personal profile of the service-recipient in the form of an electronic document signed with an EDS of the service-recipient.
- 21. When there are grounds envisaged in paragraph 9 of Standard 2 of the public service "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of Regional and District Importance", the performer of the service provider shall notify the service recipient of the preliminary decision to refuse to provide the public service, as well as the time, date and place (method) of the hearing in order to give the service recipient a possibility to express his/her position on the preliminary decision.

Notification of the hearing shall be provided at least 3 (three) business days prior to the end of the term of rendering the public service under Article 73 of the Administrative Procedural Code of the Republic of Kazakhstan. The hearing shall be held no later than 2 (two) business days from the date of notification.

Following the outcome of the hearing, the service recipient shall be issued a written approval for the placement of outdoor (visual) advertising installations in the right-of-way of public highways of regional and district importance in the form of an electronic document signed by the EDS of the authorised person of the service provider, or a reasoned refusal to grant the public service shall be sent to the service recipient.

22. The service provider shall provide entering of data on the stage of rendering of public service into the information system of monitoring of rendering of public services pursuant to sub-paragraph 11) of paragraph 2 of Article 5, paragraph 2 of the Law of the Republic of Kazakhstan "On State Services".

Chapter 5. Procedure of appealing against decisions, actions (inaction) of the service provider on the issues of rendering public services

23. A complaint against the decision, actions (inactions) of the service provider on the issues of rendering public services shall be filed in the name of the head of the service provider, the competent authority in charge of management in the sphere of highways (hereinafter - the competent authority), to the competent authority for evaluation and control over the quality of rendering public services.

The higher administrative body, official, body shall consider the complaint on the issues of rendering public services.

Complaints shall be filed with the service provider and (or) the official whose decision, action (inaction) is being appealed.

The service provider and (or) the official whose decision, action (inaction) is being appealed shall forward the complaint to the body examining the complaint no later than 3 (three) business days from the date of receipt of the complaint.

Herewith, the service provider, official, whose decision, action (inaction) is being appealed shall not file a complaint with the body reviewing the complaint, if within 3 (three) business days it adopts a decision or administrative action that fully meets the requirements specified in the complaint.

The complaint of the service recipient, received by the competent authority, under paragraph 2 of Article 25 of the Law of the Republic of Kazakhstan "On State Services" shall be reviewed within 5 (five) business days from the date of its registration.

The complaint of the service recipient submitted to the body reviewing the complaint shall be considered within 15 (fifteen) business days from the date of its registration.

24. Except as otherwise envisaged by the laws of the Republic of Kazakhstan, recourse to the court shall be permitted after an appeal in a pre-trial procedure under paragraph 5 of Article 91 of the Administrative Procedural Code of the Republic of Kazakhstan.

Annex 1
to the Rules for the Placement
of Outdoor (Visual) Advertising
Installations in the Right-of-Way
of Public Roads of International,
Republican, Oblast and District
Importance and rendering public services,
"Approval of Placement of Outdoor (Visual)
Advertising Installations in the Right-of-Way
of Public Highways of International and
Republican, Importance", "Approval
of Placement of Outdoor (Visual) Advertising
Installations in the Right-of-Way of Public
Highways Regional and District Importance"
Document form

regional branch of the National Cor Joint Stock Company	npany Ka	azAutoZhol
(surname, name, patronymic		
(if any) of the head)		
(details of the identity document		
of the natural person		
(individual identification number)		
or the legal entity		
(business identification number), number, address)	contact	telephone

Application Letter

in the right-of-way of public highways of international, republican, importance.			
Title (name) of the highway			
Address	kilometer	+ metre, right/left _	
Date Recip	ient		
(surname, first name, patronymic	(if any)		
of a natural person or the name o	f a legal entity		
or an authorised person, signature			
I agree to the use of data, as estab	olished by the laws	of the Republic of Kazak	thstan,
constituting a secret protected by	law, contained in	information systems	

I kindly ask you to approve the placement of an outdoor (visual) advertising installation

Annex 2
to the Rules for the Placement
of Outdoor (Visual) Advertising
Installations in the Right-of-Way
of Public Roads of International,
Republican, Oblast and District
Importance and rendering public services,
"Approval of Placement of Outdoor (Visual)
Advertising Installations in the Right-of-Way
of Public Highways of International and
Republican, Importance", "Approval
of Placement of Outdoor (Visual) Advertising
Installations in the Right-of-Way of Public
Highways Regional and District Importance"

Name of the public service: "Approval of Placement of Outdoor (Visual) Advertising Installations in the Right-of-Way of Public Highways of International and Republican Importance". Regional branches of the National Name of the service provider Company KazAutoZhol Joint Stock 1 Company. E-government web portal 2 Ways of rendering the public service hereinafter referred to as the portal) 3 Term of rendering the public service 5 business days. 4 Form of rendering a public service Electronic one (fully automated). Written approval of placement of outdoor (visual) advertising installations in the right-of-way of public highways of international and republican importance or a motivated reply on refusal to grant the public service. 5 Result of rendering a public service The result of rendering the public service shall be forwarded and kept on the portal in the personal profile of the service recipient certified by the service provider's electronic digital signature. The fee charged from the service recipient when rendering a public service and the ways of its collection Free of charge. 6 in cases envisaged by the laws of the Republic of Kazakhstan 1) the service provider - from Monday to Friday in line with the established work schedule from 9.00 a.m. to 6.30 p.m. excluding weekends and public holidays under the Labour Code of the Republic of Kazakhstan with a lunch break from 1.00 p.m. to 2.30 p.m. 2) portal - round the clock, excluding Working hours technical interruptions due to repair works (when the service recipient applies after working hours, on weekends and public holidays under the labour laws of the Republic of Kazakhstan, application acceptance and issuance of the result of rendering the public service shall be performed on the next business day). 1) an application in the form of an electronic document as per the annex List of documents required for to the public service; 8 rendering the public service 2) an electronic copy of a document draft.

9	Grounds for refusal to grant a public service, stipulated by the laws of the Republic of Kazakhstan	1) finding that the documents filed by the service recipient to obtain a public service and (or) the data (information) contained therein are unreliable; 2) failure of the service recipient and (or) the submitted materials, objects, data and information required for rendering a public service to comply with the requirements established by these Rules and the Law of the Republic of Kazakhstan "On Advertising"; 3) the service recipient is subject to an enforceable court decision (judgement) on the prohibition of activities or certain types of activities requiring a certain public service; 4) the service recipient is subject to an enforceable court judgement whereby the service recipient is deprived of a special right related to the receipt of a public service.
10	Other requirements in view of the specifics of rendering a public service, including those rendered in electronic form and via the State Corporation	The service recipient has the possibility to obtain the public service in electronic form via the portal, provided that he/she has an EDS. The service recipient has the possibility to obtain information on the procedure and status of rendering the public service in the mode of remote access via the personal profile of the portal, reference services of the service provider, as well as the Unified Contact Centre 1414, 8-800-080-7777.

Annex 3
to the Rules for the Placement
of Outdoor (Visual) Advertising
Installations in the Right-of-Way
of Public Roads of International,
Republican, Oblast and District
Importance and rendering public services,
"Approval of Placement of Outdoor (Visual)
Advertising Installations in the Right-of-Way
of Public Highways of International and
Republican, Importance", "Approval
of Placement of Outdoor (Visual) Advertising

Installations in the Right-of-Way of Public
Highways Regional and District Importance'
Document form
Local executive bodies of oblasts, districts
and cities of regional importance
(surname, name, patronymic
(if any) of the head)
(details of the identity document
of the natural person
(individual identification number)
or the legal entity
(business identification number),
contact telephone number, address)

Application Letter

I kindly ask you to approve the placement of an outdoor (visual) advertising installation in the right-of-way of public highways of regional and district importance.					
Title (name) of the h	e) of the highway				
Address		kilometer	+ metre, right/left	_	
Date	Recipient				
(surname, name, pat					
of the natural person	or the name of t	the legal entity			
or an authorised pers	son, signature)				
C	· ·	3	of the Republic of Kazakhstan,		
constituting a secret	protected by law	, contained in i	information systems "		

Annex 4
to the Rules for the Placement
of Outdoor (Visual) Advertising
Installations in the Right-of-Way
of Public Roads of International,
Republican, Oblast and District
Importance and rendering public services,
"Approval of Placement of Outdoor (Visual)
Advertising Installations in the Right-of-Way
of Public Highways of International and
Republican, Importance", "Approval
of Placement of Outdoor (Visual) Advertising

Installations in the Right-of-Way of Public Highways Regional and District Importance"

1	Name of the service provider	Local executive authorities of regions, districts and cities of regional importance
2	Ways of rendering the public service	E-government web portal hereinafter referred to as the portal)
3	Term of rendering the public services	5 business days.
1	Form of rendering a public service	Electronic (fully automated).
5	Result of rendering a public service	Written approval of placement of outdoor (visual) advertising installations in the right-of-way of public highways of regional and district importance or a motivate reply on refusal to grant the public service. The result of rendering the public service shall be forwarded and kept on the portal in the person profile of the service recipient certified by the service provider electronic digital signature
6	The fee charged from the service recipient when rendering a public service and the ways of its collectio in cases envisaged by the laws of the Republic of Kazakhstan	n Free of charge.
7	Working hours	1) the service provider - from Monday to Friday from 9.00 a.m. to 6.30 p.m. with a lunch break from 1.00 p.m. to 2.30 p.m. excluding weekends and public holidays under the Labour Law of the Republic of Kazakhstan, with a lunch break from 1.00 p.m. to 2.30 p.m. 2) the portal - round the clock excluding technical interruptions due to repair works (when a service recipient applies after working hour, on weekends and public holiday under the labour laws of the Republic of Kazakhstan, acceptance of applications and issuance of the results of the provision of the public service shall be performed on the next business day).
8		1) an application in the form of a electronic document as per the ann to the public service;

	List of documents required for rendering the public service	2) an electronic copy of a document draft.
9	Grounds for refusal to grant a public service, stipulated by the laws of the Republic of Kazakhstan	1) finding that the documents filed by the service recipient to obtain a public service and (or) the data (information) contained therein are unreliable 2) failure of the service recipient and (or) the submitted materials, objects, data and information required for rendering a public service to comply with the requirements established by these Rules and the Law of the Republic of Kazakhstan "On Advertising"; 3) the service recipient is subject to an enforceable court decision (judgement) on the prohibition of activities or certain types of activities requiring a certain public service; 4) the service recipient is subject to an enforceable court judgement whereby the service recipient is deprived of a special right related to the receipt of a public service.
10	Other requirements in view of the specifics of rendering a public service, including those rendered in electronic form and via the State Corporation	The service recipient has the possibility to obtain the public service in electronic form via the portal, provided that he/she has an EDS. The service recipient has the possibility to obtain information on the procedure and status of rendering the public service in the mode of remote access via the personal profile of the portal, reference services of the service provider, as well as the Unified Contact Centre 1414, 8-800-080-7777.

Annex 2 to the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 6 June 2019 No.371

The list of certain terminated orders of the Ministry of Investment and Development of the Republic of Kazakhstan

1. Order of the Minister of Investment and Development of the Republic of Kazakhstan dated 28 April 2015 No.515 "On approval of the Rules for the placement of external (visual)

advertising in the lane of public roads of international and national importance" (registered in the Register of State Registration of Normative Legal Acts under No.12099, published on 28 October 2015 in the information and legal system "Adilet").).

- 2. Order of the Acting Minister of Investment and Development of the Republic of Kazakhstan dated 4 December 2015 No.1152 "On the amendment of the Order of the Minister of investment and development of the Republic of Kazakhstan dated 28 April 2015 No.515 "On the approval of the Rules for the Placement of External (Visual) Advertising in the Lane of Public Roads" (registered in the Register of State Registration of Normative Legal Acts under No.12576, published on 29 January 2016 in the information and legal system "Adilet").
- 3. Order of the Minister for Investment and Development of the Republic of Kazakhstan dated 12 January 2018 No.23 "On amendments and additions to certain orders of the Minister for Investment and Development of the Republic of Kazakhstan in the field of roads" (registered in the Register of State Registration of Normative Legal Acts under No.16931, published in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan on 31 May 2018).

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