



On approval of the standard of a state service “Issuance of a decision for conducting a set of works on post-utilization of facilities (demolition of buildings)”

Invalidated Unofficial translation

Order of the Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated June 28, 2019 № 452. Registered in the Ministry of Justice of the Republic of Kazakhstan on July 4, 2019 № 18969.

Unofficial translation

Footnote. Expired by order of the acting Minister of industry and infrastructure development of the Republic of Kazakhstan from 30.03.2020 No. 167 (enforced upon the expiry of twenty one calendar days after the day of its first official publication).

In accordance with subparagraph 1) of Article 10 of the Law of the Republic of Kazakhstan dated April 15, 2013 “On State Services”, I ORDER:

1. To approve the attached standard of a state service “Issuance of a decision for conducting a set of works on post-utilization of facilities (demolition of buildings)”.

2. The committee of construction and housing-communal services affairs of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan, in the manner established by the legislation shall ensure:

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

2) within ten calendar days from the date of state registration of this order, sending it in the Kazakh and Russian languages to the Republican state enterprise on the right of economic management “Institute of Legislation and Legal Information of the Republic of Kazakhstan” for official publication and inclusion to the Standard control bank of regulatory legal acts of the Republic of Kazakhstan;

3) placement of this order on the Internet resource of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan.

3. Control over execution of this order shall be assigned to the supervising Vice-Minister of Industry and Infrastructural Development of the Republic of Kazakhstan.

4. This order shall be enforced upon expiry of twenty-one calendar days after its first official publication.

*Minister of Industry
and Infrastructural Development
of the Republic of Kazakhstan*

R. Sklyar

"AGREED"

Ministry of Digital Development,
Defense and Aerospace Industry

Standard of a state service “Issuance of a decision for conducting a set of works

on post-utilization of facilities (demolition of buildings)”

Chapter 1. General provisions

1. State service “Issuance of a decision for conducting a set of works on post-utilization of facilities (demolition of buildings)” (hereinafter- a state service).

2. The standard of a state service was developed by the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan (hereinafter - the Ministry).

3. The state service is provided by local executive bodies of regions, the cities of Nur-Sultan, Almaty and Shymkent, districts and cities of regional significance (hereinafter – a service provider).

Acceptance of an application and issuance of the result of rendering a state service shall be carried out through:

- 1) the office of a service provider;
- 2) e-government web portal www.egov.kz (hereinafter – the portal).

Chapter 2. The procedure for rendering a state service

4. The term for rendering a state service:

1) from the date of submission of a package of documents for conducting a set of works on post-utilization of facilities (demolition of buildings) of technically and (or) technologically uncomplicated facilities to a service provider and when applying to the portal - 10 (ten) working days;

2) from the date of delivery of a package of documents for conducting a set of works on post-utilization of facilities (demolition of buildings) of technically and (or) technologically complicated facilities to the service provider and when applying to the portal - 15 (fifteen) working days.

The service provider shall check the completeness of the submitted documents within two working days from the receipt of documents of a service recipient.

If an applicant submits an incomplete package of documents, a service provider shall give a reasoned refusal to further consideration of an application within the specified terms.

3) maximum allowable waiting time for submission of the package of documents of a service recipient at a service provider - 20 (twenty) minutes;

4) maximum allowable time for servicing a service recipient at a service provider - 15 (fifteen) minutes.

5. The form of rendering of a state service: electronic or paper.

6. The result of rendering a state service is an issuance of the decision for conducting a set of works on post-utilization of facilities (demolition of buildings), or a reasoned response on refusal in rendering a state service in cases and on the grounds provided for in paragraph 10 of this standard.

Form of providing the result of rendering a state service: electronic or paper.

When a service recipient applies through the portal, the result of rendering a state service shall be sent to the “personal account” of a service recipient in the form of an electronic document, certified by electronic digital signature (hereinafter - EDS) of the authorized person of a service provider.

7. State service shall be rendered free of charge to individuals and legal entities (hereinafter- a service recipient).

8. Work schedule of:

1) a service provider - from Monday till Friday from 8.30, 9.00 to 18.00, 18.30, with a lunch break from 13.00 to 14.00, 14:30, except for weekends and holidays in accordance with the labor legislation of the Republic of Kazakhstan.

Acceptance of an application and issuance of the result on rendering a state service shall be carried out from 9.00 to 17.30 with a lunch break from 13.00 to 14.00, 14:30.

The state service shall be rendered on a first come, first-served basis, without prior appointment and expedited service;

2) the portal - around the clock, with exception of technical breaks in connection with repair works (when a service recipient applies after the end of working hours, on weekends and holidays according to the labor legislation of the Republic of Kazakhstan, acceptance of an application and issuance of the result on rendering a state service shall be carried out on the next working day).

9. The list of documents required for rendering a state service when a service recipient (or an authorized representative: of a legal entity under a document confirming authority, or an individual under a notarized power of attorney) applies to:

1) a service provider:

application for individuals and legal entities in forms according to Appendices 1 and 2 to this standard of rendering a state service;

an identity document (to identify the identity of a service recipient);

a written consent of the owner (co-owners) of the facility for conducting a set of works on post-utilization (demolition of buildings) and its parameters;

a notarized written consent of the owners of other premises (parts of the house) adjacent to the facility to be postutilized (demolition of buildings), if a set of works on postutilization of facilities (demolition of buildings) affects their interests;

a document of a relevant state body confirming the circumstances of impossibility of further use (operation) of this facility, determined by the results of examination of technical (physical) condition;

a project of works (not required for individual residential buildings consisting of one or two floors, as well as other structures intended for personal use of citizens, household buildings on the territories of individual household plots/mobile complexes of container and block construction, as well as single-story buildings (structures) for trade, public catering and consumer services enterprises, constructed from prefabricated structures and not requiring approval from the sanitary-epidemiological services)/ design (design and estimate) documentation (submitted upon demolition of a blocked residential building).

2) the portal:

an application for individuals and legal entities in the forms according to Appendices 1 and 2 to this standard of a state service in the form of an electronic document certified by the electronic digital signature of a service recipient;

an electronic copy of the written consent of the owner (co-owners) of the facility for conducting a set of works on post-utilization (demolition of buildings) and its parameters;

an electronic copy of the notarized written consent of the owners of other premises (parts of the house) adjacent to the facility to be postutilized (demolition of buildings), if a set of works on postutilization of facilities (demolition of buildings) affects their interests;

an electronic copy of the document of a relevant state body confirming the circumstances of impossibility of further use (operation) of this facility, determined by the results of examination of technical (physical) condition;

electronic copy of the project of works (not required for individual residential buildings consisting of one or two floors, as well as other structures intended for personal use of citizens, household buildings on the territories of individual household plots/mobile complexes of container and block construction, as well as single-story buildings (structures) for trade, public catering and consumer services enterprises, constructed from prefabricated structures and not requiring approval from the sanitary-epidemiological services)/ design (design and estimate) documentation (submitted upon demolition of a blocked residential building).

A service provider receives information on documents, confirming the identity, on state registration (re-registration) of a legal entity, a certificate of registered rights (

encumbrances) on a real estate and its technical characteristics, a title document on a real estate from the relevant state information systems.

When a service recipient submits all necessary documents:

to a service provider (on purpose or by post) - confirmation of acceptance of the application on paper shall be a mark on his/her copy on registration in the office of a service provider indicating the date and time of receipt of the package of documents;

through the portal - in the "personal account" of a service recipient the status of acceptance of the request for rendering a state service indicating the date of receipt of the result of a state service shall be displayed.

10. The grounds for refusal on rendering a state service shall be:

1) establishing the unreliability of the documents submitted by a service recipient for receiving a state service, and (or) the data (information) contained in them;

2) non-compliance of a service recipient and (or) submitted materials, facilities, data and information required for rendering a state service with the requirements, established by this standard and other regulatory legal acts of the Republic of Kazakhstan.

Chapter 3. The procedure for appealing decisions, actions (inaction) of the service provider and (or) his/her officials on the issues of rendering state services

11. Appeal of decisions, actions (inaction) of the service provider and (or) his/her officials on the issues of rendering state services: the complaint shall be submitted to the head of the service provider at the address specified in paragraph 13 of this standard of a state service.

Complaints are accepted in written form by mail or on purpose through the service provider's office.

Confirmation of acceptance of the complaint shall be its registration (stamp, incoming number and date) in the office of the service provider indicating the name and initials of the person who accepted the complaint, the time and place of receiving a response to the complaint.

The complaint of a service recipient, addressed to a service provider shall be subject to consideration within five working days from the date of its registration. A reasoned response on the results of the complaint shall be sent to the service recipient by mail or issued on purpose in the office of a service provider.

In case of disagreement with the results of rendered state service, a service recipient may file a complaint with the authorized body for assessment and control over the quality of rendering state services.

The complaint of a service recipient received by the authorized body for assessment and control over the quality of rendering state services shall be subject to consideration within fifteen working days from the date of its registration.

12. In cases of disagreement with the results of the rendered state service, the service recipient shall appeal to the court in the manner established by the legislation of the Republic of Kazakhstan.

Chapter 4. Other requirements, taking into account the features of rendering a state service, including those rendered in electronic form and through the State corporation

13. The addresses of rendering a state service of a service provider are placed at:

- 1) the Internet resource of the Ministry www.miid.gov.kz;
- 2) the service provider's online resource.

14. The service recipient shall have the opportunity to receive information on the procedure and status of rendering a state service in remote access mode through a Unified contact-center for the issues of rendering state services.

15. Phones of the Unified contact-center for the issues of rendering state services: 1414, 8 800 080 7777.

Appendix 1
to the standard
of state service
“Issuance of the decision for
conducting a set of works
on post-utilization of facilities
(demolition of buildings)”
Form
To the Mayor
(of the region, the cities
Nur-Sultan, Almaty and
Shymkent, district and city
regional significance)

from

(Surname, name, patronymic
(if any)
of an individual or
name of a legal entity and (or)
power of attorney)

(Individual
identification number
(IIN) or business
identification number
(BIN)

Address _____
(legal address or
place of residence)

contacts _____
(e-mail, telephone number)

Application

I hereby ask You to allow conducting a set of works on post-utilization of facilities (demolition of buildings) _____

_____ (full name of the facility)

located at: _____

_____ (location of the facility, premises (individual parts) of which shall be subject to conducting a set of works on post-utilization of facilities (demolition of buildings)

I agree to the use of information constituting secret, protected by the Law contained in information systems.

Accepted (signature) _____

Date: " _____ " _____ 20__ .

Passed (signature) _____

Appendix 2
to the standard
of state service
“Issuance of the decision for
conducting a set of works
on post-utilization of facilities
(demolition of buildings)”
Form
To the Mayor
(of the region, the cities
Nur-Sultan, Almaty and
Shymkent, district and city
regional significance)

_____ from

_____ (Surname, name, patronymic
(if any)
of an individual or
name of a legal entity and (or)
power of attorney)

_____ (Individual
identification number
(IIN) or business
identification number
(BIN)

Address _____
(legal address or
place of residence)

contacts _____
(e-mail, telephone number)

Application

I hereby ask You to allow conducting a set of works on post-utilization of facilities (demolition of buildings) _____

_____ (full name of the facility)

located at: _____

_____ (location of an individual residential building, as well as other buildings, intended for personal use of citizens, household buildings on the territories of individual household plots/mobile complexes of container and block construction, as well as single-story buildings (structures) for trade, public catering and consumer services enterprises, constructed from prefabricated structures and not requiring approval from the sanitary-epidemiological services) which are subject to conducting a set of works on post-utilization of facilities (demolition of buildings)

I agree to the use of information constituting secret, protected by the Law contained in information systems.

Accepted (signature) _____

Date: " _____ " _____ 20__.

Passed (signature) _____