



On approval of the Rules for organizing and conducting research within a state defense order

Unofficial translation

Order of the Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated November 7, 2019 № 829. Registered with the Ministry of Justice of the Republic of Kazakhstan on November 15, 2019 № 19602.

Unofficial translation

In accordance with sub-clause 31) of article 6 of the Law of the Republic of Kazakhstan dated March 18, 2019 "On the defense industry and the state defense order" **I HEREBY ORDER:**

1. To approve the attached Rules for organizing and conducting research within a state defense order.

2. The Department of Development of defense industry complex of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan in accordance with the procedure, established by law, shall ensure:

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

2) placement of this order on the Internet resource of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan after its official publication.

3. Control over implementation of this order shall be entrusted to the supervising vice-minister of Industry and Infrastructural Development of the Republic of Kazakhstan.

4. This order shall come into force upon expiry of ten calendar days after the date of its first official publication.

Minister

B. Atamkulov

"AGREED"

Ministry of Education and Science
of the Republic of Kazakhstan

"__" _____ 2019

"AGREED"

Ministry of Finance
of the Republic of Kazakhstan

"__" _____ 2019

"AGREED"

Ministry of Defense
of the Republic of Kazakhstan

"__" _____ 2019

"AGREED"

Ministry of Internal Affairs
of the Republic of Kazakhstan

"__" _____ 2019

"AGREED"

State Security Service
of the Republic of Kazakhstan

"__" _____ 2019

"AGREED"

National Security Committee
of the Republic of Kazakhstan

"__" _____ 2019

Approved by the order of the
Minister of Industry and
Infrastructural Development of
the Republic of Kazakhstan
dated November 7, 2019 № 829

Rules for organizing and conducting research within a state defense order Chapter 1. General provisions

1. These Rules for organizing and conducting research within a state defense order (hereinafter – the Rules) have been developed in accordance with subparagraph 31) of Article 6 of the Law of the Republic of Kazakhstan dated March 18, 2019 “On the defense industry and the state defense order” (hereinafter – the Law) and shall determine the procedure associated with organizing and conducting research within a state defense order.

2. The following basic concepts shall be used in these Rules:

1) entities of scientific and (or) scientific and technological activities (hereinafter - entities) - legal entities carrying out scientific and (or) scientific and technological activities, requirements for which are defined by these Rules;

2) Defense scientific technological commission for scientific research (hereinafter - the Commission) - an advisory body under the Government of the Republic of Kazakhstan;

3) an authorized body in the defense industry and the state defense order (hereinafter -the authorized body) - a state body that performs management and cross-sectoral coordination in the defense industry and the state defense order;

4) the register of domestic manufacturers of military goods (products), dual-use (application) goods (products) and domestic suppliers of military works and military services of the state defense order (hereinafter - the register) - a list of legal entities, regardless of ownership, engaged in the production of military goods (products), dual-use (application) goods (products) performing military work and providing military services that meet the qualification requirements;

5) scientific research within the state defense order (hereinafter – the scientific research) - applied and fundamental scientific research, scientific research, academic research, development and technological in the field of creating new types of weapons, military equipment, technical and special means, modernization of equipment samples of weapons and military equipment that are being equipped aimed at enhancing the defense capability and ensuring the national security of the state;

5-1) recipient of a state defense order - a central executive body, a state body directly subordinate and accountable to the President of the Republic of Kazakhstan, their departments applying for procurement of military goods (products), dual-use (application) goods (products), military works and military services that are part of the state defense order, and receiving the corresponding goods (products), work, services;

6) executor of research within the framework of the state defense order (hereinafter - executor of research) - a legal entity carrying out scientific research within the state defense order on the basis of an agreement;

7) specialized research directions within the state defense order (hereinafter - SRD) - research areas within the framework of the state defense order, which are developed by the authorized body in agreement with interested central executive bodies, state bodies directly subordinate and accountable to the President of the Republic of Kazakhstan and approved by the commission;

8) head sample - the first complex product (complex) of small-scale and single production with a long production and installation cycle, manufactured according to newly developed or revised documentation for use by the recipient of the state defense order through trial military operation with simultaneous development of design and technical documentation for production and operation of subsequent products of this batch or series, manufactured when the production of a test prototype is not envisioned;

9) single (small-scale) products - products of a single (small-scale) production, manufactured for one customer and not envisioned for re-production;

10) test prototype within the state defense order - a sample of military goods (products) or dual-use (application) goods (products) manufactured in the course of development work on the basis of newly developed, finalized or adjusted (for the purpose of modernization) design and technological documentation to verify by testing the conformity of such a sample to the tactical-technical task (technical specification, tactical-technical characteristics) for the performance of development work under the state defense order, the correctness of the technical solutions adopted, as well as determining the possibility of adoption for armament and subsequent transfer to serial production.

Footnote. Paragraph 2 as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 11.08.2021 № 430 (shall be enforced upon expiry of ten calendar days after the date of its

first official publication); dated 28.12.2023 № 169 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 2. Procedure for organizing and conducting research within a state defense order

3. Interested central executive bodies, state bodies directly subordinate and accountable to the President of the Republic of Kazakhstan shall send proposals to the authorized body on the formation of the SRD.

The authorized body shall develop the SRD within 5 (five) working days from the date of receipt of proposals.

The consultative and advisory body functioning under the authorized body (if any) shall consider proposals received from interested central executive bodies, state bodies directly subordinate and accountable to the President of the Republic of Kazakhstan on the formation of the SRD.

After the development of the SRD, the authorized body shall send the SRD to the commission for consideration within 5 (five) working days.

Footnote. Paragraph 3 is in the wording of the order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 05.09.2022 № 485 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

4. After approval of the SRD, the authorized body, within 30 (thirty) calendar days, shall create expert councils on the SRD (hereinafter - expert councils), approve their Regulations and composition in agreement with the interested central executive bodies, state bodies directly subordinate and accountable to the President of the Republic Kazakhstan.

Footnote. Paragraph 4 is in the wording of the order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 05.09.2022 № 485 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

5. Expert councils shall conduct examination of scientific research and of reports on the accomplished research in accordance with the rules for conducting examination of research within the state defense order, approved by Order № 876 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated November 22, 2019 (registered in the Register of State Registration of Regulatory Legal Acts under № 19648).

Expert councils are collegial bodies and shall be established in specialized research directions approved by the Defense science and technology commission.

The expert councils shall be formed of competent Kazakhstan scientists, representatives of central executive bodies, state bodies directly subordinate and accountable to the President of the Republic of Kazakhstan, their departments, national development institutes, national companies, organizations of the military-industrial complex, scientific organizations, higher educational institutions, scientific public associations and approved by the authorized body.

Footnote. Paragraph 5 as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

6. Within 3 (three) working days after the examination and approval of the SRD, the authorized body shall send the application form to the state defense order recipients for the necessary research within the approved SRD, in accordance with Appendix 1 to these Rules.

The advisory board under the state defense order recipient (if any) shall consider applications for the necessary research within the frames approved by the SRD before sending them to the authorized body.

Within 5 (five) working days the state defense order recipients shall file applications to the authorized body for the necessary research within the framework of the approved SRD.

Footnote. Paragraph 6 as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

7. After receiving applications from recipients of the state defense order, the authorized body within 3 (three) working days sends them to the subjects to form applications for the implementation of scientific research within the framework of the state defense order (hereinafter referred to as applications) in the form in accordance with Appendix 2 to these Rules.

Subjects include legal entities accredited as a subject of scientific and (or) scientific and technical activities in an authorized body in the field of science, having access to information constituting state secrets, as well as licensed in the areas of circulation of weapons, military equipment and certain types of weapons, explosives and products with their use and (or) special technical means intended for carrying out operational-search measures.

Organizations from the register are allowed to perform development and technological work.

Footnote. Paragraph 7 as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

8. Funds in the framework of financing research shall be allocated to expenses directly related to the research specified in the application.

9. Within 10 (ten) working days the Entities shall put up applications to the authorized body in the state and Russian languages.

Within 3 (three) working days from the date of the applications receipt, the authorized body shall direct them for examination by the relevant expert council.

Footnote. Paragraph 9 as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

10. Within 3 (three) working days from the date of receipt of the expert councils' conclusions, the authorized body shall send applications to the state defense order recipients with the attached expert councils' conclusions.

Footnote. Paragraph 10 as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

11. Within 5 (five) working days from the date of the applications receipt, the state defense order recipients shall send to the authorized body the list of researches for further submission to the commission.

An advisory board under the state defense order recipient (if any) shall consider the list of the scientific researches before sending it to the authorized body.

Footnote. Paragraph 11 as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

12. The authorized body shall direct to the commission the lists of scientific researches for inclusion in the draft state defense order.

Footnote. Paragraph 12 as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

13. The Commission shall work out proposals for the scientific researches funding from the republican budget.

Footnote. Paragraph 13 as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

14. The authorized body shall send the proposals of the research funding commission to the state defense order recipients for development of a budget request in accordance with the budget legislation of the Republic of Kazakhstan.

Footnote. Paragraph 14 as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

15. The executor of research shall be determined in accordance with the current legislation in the state defense order.

Chapter 3. Conclusion of the agreement for conducting the research within the state defense order

16. The performance of scientific researches shall be carried out on the basis of a contract for the performance of scientific researches concluded between the executor of scientific researches and the authorized body.

When budgetary funds within the framework of the state defense order are provided for in the budget of the recipient of the state defense order, the contract for the performance of

scientific researches shall be concluded between the executor of scientific researches and the recipient of the state defense order.

Conducting scientific researches shall not be required under the condition:

1) whether the recipient of the state defense order needs a new product that has a foreign sample on the basis and documentation of which this product can be manufactured, upgraded (modified) and meets the requirements:

it is mass-produced and adopted for service in one or more countries;

it is operated in climatic conditions similar to those in the Republic of Kazakhstan;

it meets military standards;

it is compatible with weapons and military equipment used by the Armed Forces;

2) when the acquisition of a new product is planned according to design documentation developed in accordance with the technical specifications of the recipient of the state defense order, based on the results of scientific researches and (or) trial operation of similar products, and approved by the relevant classification society or accepted by the military acceptance representative in the developer organization the relevant state.

Footnote. Paragraph 16 is in the wording of the order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 05.09.2022 № 485 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

17. The performance of scientific researches shall be carried out in accordance with current international and national standards, in accordance with current legislation in the field of standardization, in their absence, the performance shall be carried out in accordance with the terms and requirements of the concluded contract.

When creating a single (small-scale) product, only the head sample of the product shall be made.

Footnote. Paragraph 17 is in the wording of the order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 05.09.2022 № 485 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

18. Conclusion and amendments to the agreement for execution of research shall be made according to articles 22 and 23 of the Law.

19. Control over execution of the research shall be conducted immediately by the authorized body or the recipient of the state defense body in accordance with requirements and terms of the concluded agreement.

Chapter 4. Acceptance of the results of research within a state defense order

20. By results of research, the executor shall generate a relevant report on research conducted.

The mentioned report shall be sent by the executor of research to the authorized body and the recipient of the state defense order in accordance with requirements and terms of the concluded agreement.

Recipients of the state defense order, by November 1 of the reporting year, shall review the received reports on completed research for compliance with their requirements of the concluded agreement and forward them to the authorized body.

21. Within 5 working days from the date of receipt of reports on completed research, the authorized body shall forward them to the appropriate expert council for approval.

The advisory body, functioning at the recipient of public defense order (if any), before approval, shall review the reports on research.

The results of reports review (if any) shall be sent by the recipients of the state defense order to the authorized body.

22. Within 5 (five) working days from the date of receipt of the opinions of expert councils, the authorized body shall send for approval reports on completed research with the conclusions of expert councils to the recipients of the state defense order.

23. Within 15 (fifteen) working days from the date of receipt of reports on completed research with the opinions of expert councils, recipients of the state defense order shall submit approved reports on completed research to the authorized body for further submission for consideration by the commission.

The advisory body, functioning at the recipient of the state defense order (if any), before approval, shall review the reports on the research.

24. Within 5 (five) working days from the date of receipt of approved reports on completed research, the authorized body shall submit them for the review by the commission.

The authorized body within 5 (five) working days after the commission reviews the reports on completed research, shall send them to the recipients of the state defense order for storage.

25. Accounting of reports on completed research shall be performed by the authorized body.

Storage of reports and results shall be carried out by the authorized body or the recipient of the state defense order in accordance with the concluded agreement.

26. Paragraphs 20, 21, 22, 23, 24 and 25 of these Rules shall not apply to development and technological works.

Acceptance of test prototypes within the state defense order shall be carried out in accordance with the Rules for testing the results of development and technological works, approved by order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated November 20, 2019 № 862 (registered in the Register of state registration of regulatory legal acts № 19645) in agreement with interested central executive bodies, state bodies directly subordinate and accountable to the President of the Republic of Kazakhstan.

Footnote. Paragraph 26 is in the wording of the order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 05.09.2022 № 485 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); as

amended by the order of the Minister of Industry and Construction of the Republic of Kazakhstan dated 28.12.2023 № 169 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Annex 1 to the Rules for
organizing and conducting
research within
a state defense order
Form

Application for required research within approved specialized research directions

Footnote. Application 1 – as amended by Order № 409 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 20.07.2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1.	Name of the specialized research direction	
2.	Type of research	
3.	Estimated duration of research	
4.	Suggested research topic	
5.	Research rationale	
6.	Purpose and objectives of research	
7.	Type of expected research results	End product
8.	Practical intent of research results	for which divisions, categories of persons
9.	Other necessary technical characteristics and requirements to research	Download

Deputy head of the state body (signature)

Date

Note: all columns shall be filled out in Times New Roman, size 14, no more than 3 pages.

Annex 2 to the Rules for
organizing and conducting
research within
a state defense order

Form

Application for implementation of research within a state defense order

1	Name of the executor of research	
2	Name of recipient of the state defense order	
3	Name of research	
4	Type of research (research work, development work, research and development work)	

5	Specialized research development	
6	The problem to which research is directed	
7	Relevance of research	Provide a brief description of the existing situation in the field under consideration, assess the types and volumes of losses (risks) that society will incur if this situation persists due to the rejection of the proposed research
8	The scope of the results of research, the estimated scale of their use	Indicate the direction of activity and specific processes (production, technological, organizational, managerial) in which the results of research will be used. Indicate the scale of use (number of organizations, units of equipment, volumes of purchases, etc.).
9	Additional reasons for conducting research	If there are indications of the need to carry out the proposed research, reference documents should be given in the guidance documents, as well as copies thereof (extracts in case of a large volume of materials).
10	Planned result	List the final results of research (including completed and intermediate results) with an indication of the form of their transfer to the recipient of the state defense order, bearing in mind that the degree of completeness of the research should provide the possibility of independent use of the result.
11	Feasibility of the research plan	Indicate the validity of scientific methods used in research, the availability of alternative approaches. Explain the conformity of resources (human, financial and other material) and the distribution of work to the stated terms, the volume and content of the work, and the requested amount of funding. Indicate questions regarding experimental studies of humans and animals. Point out issues related to plagiarism prevention, falsification and fabrication of data, false co-authorship and attribution of results.
		Substantiate the adequacy of the level of competence of the

12	Competency of the applicant	supervisor and members of the research group to carry out the research.
13	Organizations -subcontractors of the counteragent (co-executors of the research)	Provide full and abbreviated names of organizations, a list of the work they perform and the complexity of these works as a percentage in relation to research as a whole.
14	Conformity of the executor of research with the requirements for subjects of scientific and (or) scientific and technical activity	
15	Copies of supporting documents	
16	Terms for conducting research	
17	Cost of research	

Head of the entity of scientific _____
and (or) scientific technological (signature) (surname and initials) activities/
Head of organization
Head of research

(signature) (surname and initials)

Date

Note: all graphs shall be filled out in Times New Roman, size 14, not more than 20 pages.