



On approval of the Rules for the use of material and technical means for photo and video recording in the implementation of state quarantine phytosanitary control and supervision

Unofficial translation

Order of the Minister of Agriculture of the Republic of Kazakhstan dated February 19, 2020 no. 58. Registered with the Ministry of Justice of the Republic of Kazakhstan on February 20, 2020 no. 20049.

Unofficial translation

In accordance with subclause 7-4) of clause 1 of article 7 of the Law of the Republic of Kazakhstan dated February 11, 1999 "On Plant Quarantine" **I HEREBY ORDER:**

1. To approve the attached Rules for the use of material and technical means for photo and video recording in the implementation of state quarantine phytosanitary control and supervision.

2. The Department of Veterinary and Phytosanitary Security of the Ministry of Agriculture 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 Agriculture of the Republic of Kazakhstan.

3. Control over execution of this order shall be entrusted to the supervising Vice-Minister of Agriculture of the Republic of Kazakhstan.

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

*Minister of Agriculture
of the Republic of Kazakhstan*

S. Omarov

Approved
by the order of the
Minister of Agriculture
of the Republic of Kazakhstan
dated February 19, 2020 no. 58

Rules for the use of material and technical means for photo and video recording in the implementation of state quarantine phytosanitary control and supervision

Footnote. The Rules as amended by the order of the Acting Minister of Agriculture of the Republic of Kazakhstan dated 19.07.2021 No. 213 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Chapter 1. General Provisions

1. These Rules for the use of material and technical means for photo and video recording in the implementation of state quarantine phytosanitary control and supervision (hereinafter referred to as the Rules) have been developed in accordance with subclause 7-4) of clause 1 Article 7 of the Law of the Republic of Kazakhstan "On Plant Quarantine" and shall determine the procedure for the use of material and technical means for photo and video recording in the implementation of state quarantine phytosanitary control and supervision.

2. The following basic concepts are used in these Rules:

1) video recorder memory card (hereinafter referred to as the memory card) – a portable compact electronic storage device used to store information;

2) digital data storage device - a server device (powerful computer) designed for uploading and storing photo and video recordings;

3) portable mobile video recorder (hereinafter referred to as the video recorder) – a technical device for photo and video recording;

4) state inspector on plant quarantine – an official of the department of the authorized body on plant quarantine or its territorial subdivisions, carrying out state quarantine phytosanitary control and supervision;

5) phytosanitary control post – subdivision of the authorized body, located on the territory of the border and customs checkpoints (checkpoints across the State border of the Republic of Kazakhstan coinciding with the customs border of the Eurasian Economic Union), as well as in other places of movement of quarantineable products through the customs border of the Eurasian Economic Union, located on the territory of the Republic of Kazakhstan within the limits of automobile communication, and other places, determined by the authorized body, equipped with the necessary equipment and devices, carrying out state quarantine phytosanitary supervision and (or) receipt of preliminary information on the import and transit of quarantined products.

3. Video recorders are designed to carry out photo and video recording of the environment, as well as the process of actions of state plant quarantine inspectors in order to ensure the collection of evidence in the implementation of state quarantine phytosanitary control and supervision.

4. State plant quarantine inspectors are provided with video recorders in the implementation of state quarantine phytosanitary control and supervision.

Chapter 2. The procedure for issuance, data recording and storage of a video recorder (memory card)

5. The head of the territorial subdivision of the department of the authorized plant quarantine body (hereinafter referred to as the territorial subdivision) shall determine an employee, responsible for issuance and acceptance of a video recorder (memory card),

unloading and storage of photo and video recordings, setting the date and time on the video recorder when issuing the video recorder to the state plant quarantine inspector, deleting photo and video records from memory cards after they are unloaded, replacing the video recorder if it is not working, as well as viewing and analyzing the produced photos and video recordings (hereinafter referred to as the responsible person).

6. To protect the photo and video recordings obtained using the video recorder, the responsible person shall set the password for access to the digital storage device.

Only the responsible person and the head of the territorial subdivision shall have access to the digital data storage device. At the same time, making changes to the data on the digital storage device shall not be allowed.

7. for accounting purposes in work, when issuing, accepting a video recorder (memory card) and unloading photo and video records, each video recorder and a memory card shall be assigned an inventory number in accordance with the order of the Minister of Finance of the Republic of Kazakhstan dated August 3, 2010 No. 393 "On approval of the Rules for accounting in state institutions" (registered in the Register of State Registration of Regulatory Legal Acts under No. 6443).

State plant quarantine inspectors shall not be allowed using video recorders and memory cards without inventory numbers.

8. Video recorders and memory cards are stored in territorial subdivisions, phytosanitary control posts at the responsible person with the exclusion of access to them by other persons and are issued to state plant quarantine inspectors before the start of their official duties against a personal signature in the issuance register, surrender of the video recorder (memory card) and uploading photo and video recordings in the form according to Appendix to these Rules (hereinafter referred to as the log book). The log book shall be kept and completed by the responsible person.

9. The responsible person after installation of the memory card in the video recorder, seals the slot for the memory card with a seal.

10. The log book is registered with the registry of the territorial subdivision, the sheets are numbered, tied up and sealed. On the last page of the log book, the responsible person shall make an inscription: "In this log book _____ sheets are numbered, tied up and sealed". The entry in the log book is made with a ballpoint pen. Errors made are corrected by crossing out the incorrect entry and making a new entry, whereof the reservation "Corrected" is made in the "Note" column signed by the responsible person, indicating the date and time of correction, last name, first name, patronymic (if any) of the responsible person, reasons for correction. Erasures of the records of the log book shall not be allowed.

The storage period of the log book amounts to 5 (five) years.

11. Uploading of photo and video recordings to a digital storage device shall be carried out by the responsible person within 1 (one) working day from the moment they are provided by the state plant quarantine inspector.

12. The storage period for photo and video recordings on a digital storage device from the moment of uploading to a digital storage device is 1 (one) year, for administrative offenses and verification activities - 5 (five) years.

13. Photo and video recordings contained on a digital storage device for official use as specified in clause 3 of these Rules shall be allowed to transfer to state plant quarantine inspectors by the responsible person only upon authorization of the head of the territorial subdivision.

Chapter 3. Procedure for photo and video recording in the implementation of state quarantine phytosanitary control and supervision

14. The video recorder is fixed in the chest area closer to the shoulder joint, without interfering with the actions of the state plant quarantine inspector.

Before using the video recorder, the state plant quarantine inspector checks its performance, the battery level of the video recorder, the correctness of the date and time settings, the optimal settings for the quality of photo and video recording on the video recorder, as well as the availability of its inventory number.

15. A badge is attached to the chest of the state plant quarantine inspector, notifying on photo and video recording "Attention! Photo and video recording is in progress".

The use of a video recorder by state plant quarantine inspectors without a notification badge shall not be allowed.

16 The video recorder is switched on from the moment of the beginning of the performance of official duties of the state plant quarantine inspector and is carried out continuously until their completion except for the cases provided for in clauses 19 and 20 of these Rules.

17. In the process of photo and video recording, recording of all actions of both the state plant quarantine inspectors, and owners (representatives) of objects of state quarantine phytosanitary control and supervision, including quarantine inspection of quarantineable products and inspection of vehicles, inspections of objects of state quarantine phytosanitary control and supervision, execution of acts on the results of inspections, protocols, instructions and acts of quarantine phytosanitary control and supervision.

18. Unauthorized deletion of photo and video recordings from the video recorder and memory card before they are uploaded to a digital storage device, unauthorized shutdown of the video recorder and removal of the memory card during the implementation of state quarantine phytosanitary control and supervision, impact on the video recorder that may lead to a failure in its operation, taking actions that prevent the recording and saving of photo and video recording by the video recorder shall not be allowed.

19. In the event of a break for a meal, a visit to a sanitary unit by a state plant quarantine inspector, it is allowed to stop photo and video recording, informing the responsible person about this and then making an appropriate entry in the "Note" column of the register, voicing

by the state plant quarantine inspector in video recorder of the exact time of suspension and resumption of photo and video recording.

20. In case of failure of the video recorder (memory card) during the period of state quarantine phytosanitary control and supervision, the state plant quarantine inspector immediately notifies the head of the territorial subdivision and the responsible person.

The responsible person, if it is impossible to eliminate the causes of problems, replaces the video recorder.

At the same time, the responsible person makes the appropriate entries in the “Note” column of the accounting log indicating the reasons for the failure of the video recorder, the date and time of notification and replacement of the video recorder.

21. The use of the video recorder shall be carried out by state plant quarantine inspectors exclusively for official purposes, specified in clause 3 of these Rules.

22. During the performance of their duties, state plant quarantine inspectors shall ensure the safety of the video recorder and memory card, after the end of the working day they hand them over to the responsible person.

The state plant quarantine inspector treats the video recorder with care, does not allow its loss, damage, does not transfer it to other persons.

Appendix
to the Rules for the use of material
and technical means for photo and
video recording in the implementation
of state quarantine phytosanitary
control and supervision

Form

Log book for issuance and delivery of a video recorder and a memory card

_____ (name
of the territorial subdivision of the department of the authorized body for plant
quarantine, phytosanitary control post)

item no.	Video recorder (memory card) inventory number	Surname, name, patronymic (if any) of the state plant quarantine inspector	Date and time, signature of receipt	Date and time, signature of delivery	Date and time of uploading information	Notice
1	2	3	4	5	6	7