



On approval of the Rules for Public Service "Issuance of Technical Specification for the Design of the Intersection of Public Highways of International and National Importance by Canals, Communication Lines and Power Lines, Oil-and-Gas Pipelines, Water Pipelines and Railways, Other Engineering Networks and Communications, as well as for the Construction of Access Roads and Junctions to Public Highways of International and National Importance"

Unofficial translation

Order No. 292 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated May 15, 2020. Registered with the Ministry of Justice of the Republic of Kazakhstan on May 18, 2020 under No. 20658.

Unofficial translation

In obedience to sub-paragraph 1) of Article 10 of the Law of the Republic of Kazakhstan of April 15, 2013 "On Public Services" **I HEREBY ORDER:**

1. That the attached Rules for Public Service "Issuance of Technical Specification for the Design of the Intersection of Public Highways of International and National Importance by Canals, Communication Lines and Power Lines, Oil-and-Gas Pipelines, Water Pipelines and Railways, Other Engineering Networks and Communications, as well as for the Construction of Access Roads and Junctions to Public Highways of International and National Importance" shall be approved pursuant to Annex 1 hereto.

2. That certain orders shall be declared to be no longer in force in compliance with Annex 2 hereto.

3. That, according to the procedure set by the legislation, the Road Committee of the Ministry of Industry and Infrastructure Development of the Republic of Kazakhstan shall:

1) provide state registration hereof with the Ministry of Justice of the Republic of Kazakhstan;

2) place this order on the web-site of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan.

4. That the supervising Vice-Minister of Industry and Infrastructural Development of the Republic of Kazakhstan shall be in charge of the execution hereof.

4. That this order shall come into force ten calendar days after the date of its first official publication.

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

B. Atamkulov

"AGREED BY"

Ministry of Digital Development,

Rules for Public Service "Issuance of Technical Specification for the Design of the Intersection of Public Highways of International and National Importance by Canals, Communication Lines and Power Lines, Oil-and-Gas Pipelines, Water Pipelines and Railways, Other Engineering Networks and Communications, as well as for the Construction of Access Roads and Junctions to Public Highways of International and National Importance" Chapter 1. General provision

1. These Rules for Issuance of Technical Specification for the Design of the Intersection of Public Highways of International and National Importance by Canals, Communication Lines and Power Lines, Oil-and-Gas Pipelines, Water Pipelines and Railways, Other Engineering Networks and Communications, as well as for the Construction of Access Roads and Junctions to Public Highways of International and National Importance (hereinafter - Rules) have been developed in obedience to Article 13 of the Law of the Republic of Kazakhstan dated April 15, 2013 "On Public Services" and determine the delivery of public service to issue technical conditions for the design of the intersection of public highways of international and national importance by canals, communication and power lines, oil pipelines , gas pipelines, water pipelines and railways, other engineering networks, communications, as well as for the construction of access roads and junctions to public highways of international and republican importance.

2. Public service "Issuance of Technical Specification for the Design of the Intersection of Public Highways of International and National Importance by Canals, Communication Lines and Power Lines, Oil-and-Gas Pipelines, Water Pipelines and Railways, Other Engineering Networks and Communications, as well as for the Construction of Access Roads and Junctions to Public Highways of International and National Importance" (hereinafter - the public service) shall be provided by regional branches of the National Company KazAutoZhol JSC (hereinafter referred to as a service provider) pursuant to these Rules.

3. The acceptance of the application and the issuance of the result of the public service shall be carried out via the e-government web portal www.egov.kz (hereinafter referred to as the portal).

Chapter 2. Procedure for the provision of a public service "Issuance of Technical Specification for the Design of the Intersection of Public Highways of International and National Importance by Canals, Communication Lines and Power Lines, Oil-and-Gas Pipelines, Water Pipelines and Railways, Other Engineering Networks and Communications, as well as for the Construction of Access Roads and Junctions to Public Highways of International and National Importance"

4. In order to obtain the public service, individuals and legal entities (hereinafter - the Service Receiver) shall send to the Service Provider via the portal an application in the form of an electronic document pursuant to Annex 1 to these Rules and an electronic copy of the draft of the design document.

When the service recipient submits documents according to paragraph 8 of the public service standard in conformity with Annex 2 to these Rules (hereinafter - the Standard), the status of acceptance of the request for public service shall be displayed in the "personal profile" of the service recipient.

A list of basic requirements for the issuance of technical specifications for the design of intersections of public highways of international and national importance by canals, communication and power lines, oil and gas pipelines, water pipelines and railways, other engineering networks, communications, as well as for the construction of access roads and junctions to public highways of international and national importance have been laid down in the Law of the Republic of Kazakhstan of July 17, 2001 "On Automobile Roads".

5. The list of basic requirements for the provision of a public service, including the characteristics of the process, form, content and result of provision, as well as other information factoring in the specifics of public service provision have been specified in Annex 2 to these Rules.

6. The service provider shall register the documents on the day of their receipt and transfer them for execution to an executor of the service provider. According to the labor legislation of the Republic of Kazakhstan, when the service recipient applies after the end of working hours, on weekends and public holidays, acceptance of applications, registration of a public service shall be performed on the next working day.

Footnote. Paragraph 6 is in the wording of the order of acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 12.05.2022 No. 264 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

7. Term of documents review and issue the result of state service rendering shall be 5 (five) working days.

8. The executor of a service provider, within 1 (one) working day from the moment of registration of documents, shall check the completeness of the submitted documents.

In cases when the service recipient submits an incomplete package of documents in accordance with the list provided for in paragraph 8 of the Standard, and (or) expired documents, the service provider shall refuse to accept the application and send a notification to the service recipient's "personal account" in the form of an electronic document signed with an electronic digital signature of the service provider's authorized person.

Footnote. Paragraph 8 is in the wording of the order of acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 12.05.2022 No. 264 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

9. Based on the results of checking the relevant documents, as well as in the absence of grounds for refusal, the service provider, within 5 (five) working days, shall issue technical conditions for designing the intersection of public roads of international and republican significance with canals, communication and power lines, oil pipelines, gas pipelines, water pipelines and railways, other engineering networks, communications, as well as for the construction of access roads and adjunctions to public roads of international and republican significance.

Footnote. Paragraph 9 is in the wording of the order of acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 12.05.2022 No. 264 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

10. When making a decision on refusal to provide a public service, the service provider, within 2 (two) working days, shall notify the service recipient of the preliminary decision on refusal to provide a public service, as well as the time, date and place (method) of the hearing to allow the service recipient to express position on the preliminary decision.

The notification of the hearing shall be sent at least 3 (three) working days before the end of the term for the provision of public services in accordance with Article 73 of the Administrative Procedural Code of the Republic of Kazakhstan. The hearing shall be held no later than 2 (two) working days from the date of notification.

Based on the results of the hearing, the service provider shall issue technical conditions for the design of the intersection of public roads of international and national importance with canals, communication and power lines, oil pipelines, gas pipelines, water pipelines and railways, other utility networks, communications, as well as for the construction of access roads and adjunctions to public roads of international and republican significance or a reasoned refusal to provide a public service.

Footnote. Paragraph 10 is in the wording of the order of acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 12.05.2022 No. 264 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

11. The service provider shall ensure entering data on the stage of rendering a public service into the information system of monitoring of rendering a public service, in obedience to the Law of the Republic of Kazakhstan of April 15, 2013 “On Public Services”.

Chapter 3. Procedure for appealing against decisions, actions (inaction) of the provider of public services

12. A complaint against the decision, actions (inactions) of the service provider regarding the provision of public services shall be submitted to the head of the service provider, the authorized body exercising management in the field of highways (hereinafter - the authorized body), to the authorized body for assessing and monitoring the quality of public services.

Consideration of a complaint regarding the provision of public services shall be carried out by a higher administrative body, official, or a body considering the complaint.

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

The service provider, the official whose decision, action (inaction) is being appealed, shall send it to the body considering the complaint no later than 3 (three) working days from the date of receipt of the complaint.

In this case, the service provider, official, whose decision, action (inaction) is appealed, shall not send the complaint to the body considering the complaint, if within 3 (three) working days it makes a decision or administrative action that fully satisfies the requirements specified in the complaint.

The service recipient's complaint received by the authorized body, in accordance with paragraph 2 of Article 25 of the Law of the Republic of Kazakhstan “On Public Services”, shall be subject to consideration within 5 (five) working days from the date of its registration.

The service recipient's complaint received by the body considering the complaint shall be subject to consideration within 15 (fifteen) working days from the date of its registration.

Footnote. Paragraph 12 is in the wording of the order of acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 12.05.2022 No. 264 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

13. Unless otherwise provided by the laws of the Republic of Kazakhstan, an appeal to the court shall be allowed after a pre-trial appeal in accordance with paragraph 5 of Article 91 of the Administrative Procedural Code of the Republic of Kazakhstan.

Footnote. Paragraph 13 is in the wording of the order of acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 12.05.2022 No. 264 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

14. Is excluded by the order of acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 12.05.2022 No. 264 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Annex 1 to the Rules
for the provision of public service
“Issuance of Technical
Specification for the Design of the
Intersection of Public Highways of
International and National
Importance by Canals,
Communication Lines and Power
Lines, Oil-and-Gas Pipelines,
Water Pipelines and Railways,
Other Engineering Networks and
Communications, , as well as for
the Construction of Access
Roads and Junctions to Public
Highways of International and
National Importance”
Document form

regional branch of the
National Company KazAvtoZhol
Joint-Stock Company

(surname, first name, patronymic
(if any) (hereinafter full name)
of the head

(реквизиты документа,
удостоверяющего

identity data of the individual
(individual identification number)
or the legal entity

(Business Identification Number),
contact telephone number, address)

Application Letter

I hereby ask you to issue the technical specification for design of intersections of public roads of international and national importance by canals, communication and power lines, oil pipelines, gas pipelines, water pipelines and railways, other engineering networks, communications/ or for construction of access roads and adjacencies to public roads of international and national importance.

Title (name) of the highway _____

Address ____kilometre ____+meter, right/left

I hereby undertake to provide funding for the rehabilitation of the highway and highway installations.

In the event that the works are to be carried out within the boundaries of settlements:
the permission document from the local executive authorities

No. _____ issued on _____ by _____

(date) (name of the issuing authority)

Date _____

Recipient _____

(full name of the individual or the name of the legal entity or
authorised person, signature)

I hereby give my consent to the use of information which, in the manner prescribed by the laws of the Republic of Kazakhstan,

constitutes a legally protected secret contained in information systems

_____ " ____ "

Annex 2 to the Rules
for the provision of public service
“Issuance of Technical
Specification for the Design of the
Intersection of Public Highways of

International and National
Importance by Canals,
Communication Lines and Power
Lines, Oil-and-Gas Pipelines,
Water Pipelines and Railways,
Other Engineering Networks and
Communications, as well as for the
Construction of Access
Roads and Junctions to Public
Highways of International and
National Importance”

Footnote. Appendix 2 as amended by the order of acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 12.05.2022 No. 264 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Public service standard “Issuance of Technical Specification for the Design of the Intersection of Public Highways of International and National Importance by Canals, Communication Lines and Power Lines, Oil-and-Gas Pipelines, Water Pipelines and Railways, Other Engineering Networks and Communications, as well as for the Construction of Access Roads and Junctions to Public Highways of International and National Importance”		
1	Name of a service provider	Regional branches of the joint stock company “National Company “KazAvtoZhol”
2	Ways of providing a public service (access channels)	E-government web portal www.egov.kz (hereinafter referred to as the portal).
3	Term of public service delivery	5 working days.
4	Form of public service delivery	Electronic (fully automated).
5	Result of rendering a public service	Technical specification for design of intersection of public highways of international and national importance by canals, communication and power lines, oil pipelines, gas pipelines, water pipelines and railways, other engineering networks, communications, as well as for construction of access roads and adjacency to public highways of international and national importance, or a reasoned refusal in its issuance. The result of the public service shall be sent and stored on the portal in the "personal profile" of the service recipient, certified by the electronic digital signature of the service provider.
6	Size of the fee charged to the service recipient in the provision of a public service and the manner in which it is charged in cases stipulated by the	Free of charge

	legislation of the Republic of Kazakhstan	
7	Working hours	<p>1) Service provider - Monday through Friday, in accordance with the established work schedule from 9 am to 6.30 pm, except for days off and public holidays according to the Labor Code of the Republic of Kazakhstan dated November 23, 2015 with a lunch break from 01.00 pm to 2.30 pm.</p> <p>2) portal - round the clock, except for technical breaks due to repair works (when a service recipient applies after working hours, on weekends and public holidays according to the Labour Code of the Republic of Kazakhstan, acceptance of application and issuance of state service results shall be performed on the next working day).</p> <p>The addresses of places of rendering the public service are posted on:</p> <p>1) the service provider's website - www.roads.miid.gov.kz, section "State services";</p> <p>2) portal - www.egov.kz.</p>
8	List of documents required for the provision of the public service	<p>1) an application in the form of an electronic document according to Annex 1 to these Rules;</p> <p>2) an electronic copy of the document thumbnail.</p>
9	Grounds for refusal of a public service established by the legislation of the Republic of Kazakhstan	<p>1) establishment of the unreliability of documents submitted by the service recipient in order to receive a public service and (or) data (information) contained therein;</p> <p>2) non-compliance of the service recipient and (or) submitted materials, facilities, data and information required to receive a public service with the requirements established by these Rules and the Law of the Republic of Kazakhstan of July 17, 2001 "On Automobile Roads";</p> <p>3) a court decision (sentence) has come into force prohibiting the activities or separate types of activities requiring the provision of a certain public service in respect of the service recipient;</p>

		4) there is an effective court judgement in relation to the service recipient on the basis of which the service recipient is deprived of a special right relating to the receipt of a public service.
10	Other requirements factoring in the specifics of the public service, including that provided electronically and via the State Corporation	The service recipient shall be able to receive the public service electronically via the portal, provided that an electronic digital signature is available. The service recipient shall be able to obtain information on the procedure and status of the provision of the public service in remote access mode via the "personal profile" of the portal, information services of the service provider, as well as the Single Contact Centre "1414", 8-800-080-7777.

Annex 2 to order
of the Minister of Industry and
Infrastructure Development
of the Republic of Kazakhstan
No. 292 dated May 15, 2020

List of certain repealed orders

1. Order No. 624 of the Acting Minister for Investment and Development of the Republic of Kazakhstan dated May 28, 2015 "On Approval of Regulations of Public Services in the Road Sector" (registered with the Register of State Registration of Regulatory Legal Acts under No. 11576, published on July 22, 2015 in Adilet, the information and legal system).

2. Order No. 817 of the Acting Minister for Investment and Development of the Republic of Kazakhstan dated November 28, 2016 "On Amendments to Order No. 624 of the Acting Minister for Investment and Development of the Republic of Kazakhstan dated 28 May 2015 "On Approval of Regulations of Public Services in the Road Sector" (recorded in the Register of State Registration of Regulatory Legal Acts under No. 14597, published in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan on January 9, 2017).

3. Order No. 597 of the Minister for Investment and Development of the Republic of Kazakhstan dated August 24, 2018 "On Amendments to Order No. 624 of the Acting Minister for Investment and Development of the Republic of Kazakhstan dated May 28, 2015 "On Approval of Regulations of Public Services in the Road Sector" (registered with the Register of State Registration of Regulatory Legal Acts under No. 17482, published on October 15, 2018 in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan)

4. Order No. 701 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan of September 9, 2019 "On Amendments to Order of the Acting Minister for Investment and Development of the Republic of Kazakhstan No. 624 of May 28, 2015 "On Approval of the Regulations of Public Services in the Road Sector" (registered with the Register of State Registration of Regulatory Legal Acts under No. 19379, published on September 18, 2019 in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan).

5. Order No. 529 of the Minister for Investment and Development of the Republic of Kazakhstan dated April 30, 2015 "On Approval of Standards of Public Services in the Road Sector" (recorded in the Register of State Registration of Regulatory Legal Acts under No. 11327, published on June 25, 2015 in Adilet, the information and legal system).

6. Order No. 1136 of the Minister for Investment and Development of the Republic of Kazakhstan dated November 30, 2015 "On Amendments to Order No. 529 of the Minister for Investment and Development of the Republic of Kazakhstan dated April 30, 2015 "On Approval of Public Road Service Standards" (registered with the Register of State Registration of Regulatory Legal Acts under No. 12851, published in Adilet, the information and legal system on January 29, 2016).

7. Order No. 610 of the Acting Minister for Investment and Development of the Republic of Kazakhstan dated August 15, 2016 "On Amendments to Order No. 529 of the Minister for Investment and Development of the Republic of Kazakhstan dated April 30, 2015 "On Approval of Public Road Service Standards" (registered with the Register of State Registration of Regulatory Legal Acts under No. 14358, published on November 4, 2016 in the Adilet, the information and legal system).

8. Order No. 547 of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated July 25, 2019 "On Amendments to Order No. 529 of the Minister for Investment and Development of the Republic of Kazakhstan dated April 30, 2015 "On Approval of Standards of Public Services in the Road Sector" (registered with the Register of State Registration of Regulatory Legal Acts under No. 19094, published on August 9, 2019 in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan).