

On approval of the Rules for the provision of state service "Issuing a license for the export of collection materials on mineralogy, paleontology, and fossil animal bones"

Unofficial translation

Order of the Minister of Education and Science of the Republic of Kazakhstan dated August 24, 2020, No. 363. Registered with the Ministry of Justice of the Republic of Kazakhstan on August 27, 2020, No. 21129.

Unofficial translation

In accordance with subparagraph 1) of Article 10 of the Law of the Republic of Kazakhstan "On State Services", **I HEREBY ORDER:**

Footnote. The preamble is in the wording of the order of the Minister of Science and Higher Education of the Republic of Kazakhstan dated 20.03.2024 № 123 (shall be enforced upon expiry of sixty calendar days after the day of its first official publication).

1. To approve the attached Rules for the provision of state service "Issuing a license for the export of collection materials on mineralogy, paleontology, and fossil animal bones" in accordance with Annex 1 to this order.

2. To recognize as terminated:

1) Order of the Minister of Education and Science of the Republic of Kazakhstan dated January 8, 2019, № 8 On Approval of the Standard of the State Service "Issuance of a License for the Export of Collection Materials on Mineralogy, Paleontology, and Fossil Animal Bones" (registered in the Register of State Registration of Regulatory Legal Acts under № 18166, published on January 18, 2019 in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan);

2) Order of the Minister of Education and Science of the Republic of Kazakhstan dated May 4, 2019. № 181 On Approval of the Regulations of the State Service "Issuance of a License for the Export of Collection Materials on Mineralogy, Paleontology, and Fossil Animal Bones" (registered in the Register of State Registration of Regulatory Legal Acts under № 18642, published on May 21, 2019 in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan).

3. The Science Committee of the Ministry of Education and Science of the Republic of Kazakhstan, in the manner prescribed by law, shall ensure:

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

2) posting this Order on the Internet resource of the Ministry of Education and Science of the Republic of Kazakhstan

3) within ten working days after the state registration of this Order, submission to the Legal Department of the Ministry of Education and Science of the Republic of Kazakhstan the information on the implementation of the measures provided for in subparagraphs 1) and 2) of this paragraph.

4. Control over the execution of this Order shall be entrusted to the supervising Vice-Minister of Education and Science of the Republic of Kazakhstan.

5. This Order shall come into effect upon the expiration of twenty-one calendar days after the day of its first official publication.

*Minister of Education and
Science of the Republic of Kazakhstan*

A. Aimagambetov

"AGREED"

Ministry of Digital Development,
Innovation and Aerospace
Industry of the Republic of Kazakhstan

Appendix
to the order of the
Minister of Education and Science
of the Republic of Kazakhstan
dated August 24, 2020 № 363

Rules for the provision of a public service "Issuance of a license for the export of collectible materials on mineralogy, paleontology, bones of fossil animals"

Footnote. The rules are in the wording of the order of the Minister of Science and Higher Education of the Republic of Kazakhstan dated 20.03.2024 № 123 (shall be enforced upon expiry of sixty calendar days after the day of its first official publication).

Chapter 1. General provisions

1. These Rules for the provision of a public service "Issuance of a license for the export of collectible materials on mineralogy, paleontology, bones of fossil animals" (hereinafter - the Rules) have been developed in accordance with subparagraph 1) of Article 10 of the Law of the Republic of Kazakhstan "On Public Services" (hereinafter - the Law), the Rules for issuing licenses and permits for the export and (or) import of goods included in the single list of goods to which non-tariff regulation measures are applied in trade with third countries, approved by Decision of the Council of the Eurasian Economic Commission dated November 24, 2023 № 125, and shall determine the procedure for its provision.

2. The public service "Issuance of a license for the export of collectible materials on mineralogy, paleontology, bones of fossil animals" (hereinafter - the public service) shall be provided by the Science Committee of the Ministry of Science and Higher Education of the Republic of Kazakhstan (hereinafter - the service provider) in accordance with these Rules.

Chapter 2. Procedure for the provision of public services

3. To receive the public service, individuals and legal entities (hereinafter - the service recipient) shall provide the service provider through the web portals of the "electronic government" www.egov.kz, www.elicense.kz (hereinafter - the portal) with the documents specified in paragraph 8 of the List of basic requirements for the provision of the public service "Issuance of a license for the export of collectible materials on mineralogy, paleontology, bones of fossil animals" (hereinafter - the List of basic requirements) in accordance with the Appendix to these Rules.

The service provider receives information about the identity document, the state registration (re-registration) of a legal entity from the relevant state information systems through the gateway of the "electronic government".

The service recipient shall be sent a status on the acceptance of the request for a public service in the "personal account", as well as a notification indicating the date and time of receiving the result of the public service.

4. The list of basic requirements for the provision of a public service, including the methods of providing a public service, the term, form and result of their provision, as well as other information taking into account the specifics of providing a public service, have been set out in the List of basic requirements.

5. The service provider's office, within 2 (two) hours from the moment the request is received on the portal, shall register the received documents and transfer them for review to the head of the service provider (or the person performing his duties).

The head of the service provider (or the person performing his duties) within 1 (one) business day shall determine the responsible executor to review the received request.

The responsible executor of the service provider (hereinafter - the executor) shall check the completeness and accuracy of the documents provided within 2 (two) business days.

In case the service recipient provides an incomplete package of documents and (or) submits expired documents, inaccurate information, the contractor shall send a reasoned refusal to further consider the application in the form of an electronic document certified by an electronic digital signature (hereinafter - the EDS) of an authorized person of the service provider.

When the service recipient provides a complete package of documents, the contractor shall prepare the documents for consideration by the commission to make a decision on issuing a license for the export of collectible materials on mineralogy, paleontology, bones of fossil animals (hereinafter - the commission).

The commission consists of representatives of the Science Committee of the Ministry of Science and Higher Education of the Republic of Kazakhstan, the Geology Committee of the Ministry of Industry and Construction of the Republic of Kazakhstan, the limited liability partnership "Institute of Geological Sciences named after K.I. Satpayev" of the non-profit joint-stock company "Kazakh National Research Technical University named after K.I.

Satpayev", as well as experts and leading scientists in the field of mineralogy, paleontology, bones of fossil animals.

The commission shall make a decision on issuing a license for the export of collectible materials on mineralogy, paleontology, and bones of fossil animals within 10 (ten) working days.

Based on the commission's conclusion, the first director of the service provider or the person performing his duties shall sign the license or refusal to issue the license within 2 (two) business days from the date of the commission's decision.

6. In the event of a decision to issue a license, the service provider shall issue the service recipient a license for the export of collectible materials on mineralogy, paleontology, and bones of fossil animals, or a reasoned response on refusal to provide the public service in the cases and on the grounds stipulated by paragraph 9 of the List of Basic requirements.

7. The result of the provision of a public service shall be sent to the portal and stored in the "personal account" of the service recipient in the form of an electronic document signed by an electronic digital signature of the authorized person of the service provider.

If the service recipient does not apply for the result of the public service within the specified period, the service provider shall ensure their storage at the place of receipt until the service recipient receives it.

8. The service provider shall ensure the entry of information on the stage of provision of the public service into the information system for monitoring the provision of public services in accordance with subparagraph 11) of paragraph 2 of Article 5 of the Law.

9. If grounds for refusing to provide the public service are identified, the responsible executor shall notify the applicant about the preliminary decision on refusal to provide the public service, as well as the time, date and place (method) of the hearing so that the applicant can express his position on the preliminary decision.

Notification of the hearing shall be sent at least 3 (three) business days before the end of the term for the provision of a public service in accordance with Article 73 of the Administrative Procedure and 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, a license for the export of collectible materials on mineralogy, paleontology, bones of fossil animals, or a reasoned refusal to provide a public service shall be issued.

Chapter 3. Procedure for appealing decisions, actions (inaction) of the service provider and (or) its officials in the process of providing a public service

10. A complaint regarding the provision of public services shall be considered by a higher administrative body, an official, or an authorized body for the assessment and control of the quality of provision of public services (hereinafter - the body considering the complaint).

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

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

In this case, the service provider, the official whose decision, action (inaction) is being appealed, shall have the right not to forward the complaint to the body considering the complaint if, within three business, it shall make a decision or take another administrative action that fully satisfies the requirements specified in the complaint.

A complaint from a service recipient received by a service provider, in accordance with paragraph 2 of Article 25 of the Law, shall be considered within 5 (five) business days from the date of its registration.

A complaint from a service recipient received by an authorized body for assessment and control over the quality of public services shall be considered within 15 (fifteen) business days from the date of its registration.

11. A complaint about the actions (inactions) of employees of the State Corporation when providing services through the State Corporation shall be submitted to the head of the State Corporation or to the authorized body in the field of information technology.

12. Unless otherwise provided by law, an appeal to the court shall be allowed after an appeal in a pre-trial manner.

Appendix to the Rules
for the provision of a public service
"Issuance of a license for the
export of collectible materials
on mineralogy, paleontology,
bones of fossil animals"

List of basic requirements for the provision of a public service "Issuance of a license for the export of collectible materials on mineralogy, paleontology, bones of fossil animals"

1.	Name of the service provider	Science Committee of the Ministry of Science and Higher Education of the Republic of Kazakhstan
2.	Methods of providing a public service	web portal of the "electronic government" www.egov.kz ; www.elicense.kz (hereinafter - the portal).
3.	Term of providing a public service	Term of provision - 15 (fifteen) business days
4.	Form of providing a public service	Electronic (automated)
		Issue of a license for the export of collectible materials on mineralogy,

5.	Result of providing a public service	paleontology, bones of fossil animals , or a reasoned response on refusal to provide a public service in the cases and on the grounds provided for in paragraph 9 of the List of Basic Requirements.
6.	Amount of payment collected from the service recipient when providing a public service, and methods of collecting it in cases stipulated by the laws of the Republic of Kazakhstan	The public service is provided free of charge to individuals and legal entities.
7.	Work schedule	<p>of a service provider - from Monday to Saturday inclusive, excluding weekends and holidays, in accordance with the labour legislation of the Republic of Kazakhstan, in accordance with the established work schedule of the service provider from 9.00 to 18.30, with a lunch break from 13.00 to 14.30.</p> <p>of a portal - around the clock, except for technical breaks due to repair works (if the service recipient applies after the end of working hours, on weekends and holidays, in accordance with the labour legislation of the Republic of Kazakhstan, the application shall be accepted and the result of the provision of a public service shall be issued on the next business day).</p> <p>The addresses of the places for providing a public service are posted on:</p> <p>1) the Internet resource of the service provider;</p> <p>2) the portal www.egov.kz.</p>
		<p>1) an application for a license, completed and executed in accordance with the instructions for processing applications for licenses for the export or import of certain types of goods and processing such licenses, approved by the decision of the Council of the Eurasian Economic Commission dated November 24, 2023 № 125;</p> <p>2) a copy of the foreign trade agreement (contract), annex and (or) supplement thereto, and in the absence of a foreign trade agreement</p>

8.	List of documents required for provision of a public service	<p>(contract) - a copy of another document confirming the intentions of the parties;</p> <p>3) a copy of the document (information) on registration with the tax authority or on state registration;</p> <p>4) a copy of the license to carry out a licensed type of activity or information on the availability of a license to carry out a licensed type of activity, if such activity is related to the circulation of goods for which licensing has been introduced in the customs territory of the Eurasian Economic Union;</p> <p>5) copies of documents certifying the legality of the extraction and possession of the goods.</p> <p>Each sheet of the submitted copies of documents must be certified by the signature and seal of the applicant, or the copies of the documents must be stitched and their last sheets certified by the signature and seal of the applicant.</p> <p>The service provider receives information about the identity document, about the state registration (re-registration) of a legal entity from the relevant state information systems through the gateway of the "electronic government".</p> <p>When the service recipient submits all the necessary documents through the portal, the status of the acceptance of the request for the provision of a public service shall be displayed in the "personal account" of the service recipient, indicating the date of receipt of the result of a public service.</p>
		<p>1) establishment of inaccuracy of the documents submitted by the service recipient to receive a public service, and (or) the data (information) contained therein;</p> <p>2) non-compliance of the service recipient and (or) the submitted materials, objects, data and information necessary for the provision of a public service, with the requirements established by the</p>

9.	Grounds for refusal to provide a public service established by the laws of the Republic of Kazakhstan	<p>regulatory legal acts of the Republic of Kazakhstan;</p> <p>3) a negative response from the authorized state body to a request for approval, which is required to a public service, as well as a negative conclusion of an examination, study or inspection;</p> <p>4) in relation to the service recipient there is a court decision (verdict) that has entered into legal force prohibiting the activity or certain types of activity requiring the receipt of a certain public service;</p> <p>5) in relation to the service recipient there is a court decision that has entered into legal force, on the basis of which the service recipient is deprived of a special right associated with receiving a public service.</p> <p>6) absence of consent of the service recipient, provided in accordance with Article 8 of the Law of the Republic of Kazakhstan "On Personal Data and Their Protection", for access to restricted personal data required for the provision of a public service.</p>
10.	Other requirements taking into account the specifics of the provision of a public service, including those provided in electronic form and through the State Corporation	<p>The service recipient shall have the opportunity to receive a public service in electronic form through the portal, subject to the availability of an electronic digital signature.</p> <p>The service recipient shall have the opportunity to receive information on the procedure and status of providing a public service in the remote access mode through the "personal account" of the portal, the service provider's help desks, as well as the Unified Contact Center "1414", 8-800-080-7777.</p>