



On approval of the Rules for the Maintenance of the Register of Business Entities in the Field of Waste Management

Unofficial translation

Order No. 380 of the Acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated September 17, 2021. Registered with the Ministry of Justice of the Republic of Kazakhstan on 24 September 2021 under No. 24493

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Under paragraph 2 of Article 337 of the Environmental Code of the Republic of Kazakhstan **I HEREBY ORDER:**

1. That the attached Rules for the Maintenance of the Register of Business Entities in the Field of Waste Management shall be approved.

2. That, in the order stipulated by the legislation of the Republic of Kazakhstan, the Department of State Waste Management Policy of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan shall ensure:

1) the state registration hereof with the Ministry of Justice of the Republic of Kazakhstan;
2) the placement hereof on the website of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan after its official publication;

3) within ten working days after the state registration hereof with the Ministry of Justice of the Republic of Kazakhstan, the submission to the Legal Service Department of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan of the information on the implementation of the measures stipulated in sub-paragraphs 1) and 2) of this paragraph.

3. The Supervising Vice-Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan shall be in charge of the execution hereof.

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

*Acting Minister of Environment, Geology
and Natural Resources
of the Republic of Kazakhstan*

S. Kozhaniyazov

“APPROVED BY”

Ministry of Finance
of the Republic of Kazakhstan

“APPROVED BY”

Ministry of National Economy
of the Republic of Kazakhstan

Approved

Rules for the Maintenance of the Register of Business Entities in the Field of Waste Management

Chapter 1. General provisions

1. These Rules for the Maintenance of the Register of Business Entities in the Field of Waste Management (hereinafter - the Rules) have been developed under paragraph 2 of Article 337 of the Environmental Code of the Republic of Kazakhstan (hereinafter - the Code) and establish the procedure for introduction of the register of business entities, planning or conducting business activities for waste collection, sorting and (or) transportation, recovery and (or) destruction of non-hazardous waste (hereinafter - the Business Entities).

2. The competent authority in the field of environmental protection shall accept notifications from Business Entities, form and maintain the state electronic register of permits and notifications (hereinafter the Register of Business Entities) as per the Law of the Republic of Kazakhstan “On Permits and Notifications”.

3. Under paragraph 3 of Article 337 of the Code, entrepreneurial activity in the collection, sorting and (or) transportation of waste, recovery and (or) destruction of non-hazardous waste shall be prohibited without notifying the authorised agency for environmental protection.

4. These requirements of the Rules shall not apply to business entities that are waste generators with regard to the accumulation and sorting of their own waste at the site of its generation prior to its collection.

Chapter 2. Procedure for maintaining the register of business entities

5. The register of business entities shall be maintained by the competent authority in the field of environmental protection.

6. Under paragraph 1 of Article 337 of the Code, business entities must submit a notification of the commencement or termination of collection, sorting and (or) transportation of waste, recovery and (or) destruction of non-hazardous waste to the authorised environmental authority.

7. The notification shall be submitted as per Order No. 4 of the Minister of National Economy of the Republic of Kazakhstan dated January 6, 2015 “On Approval of the Forms of Notifications and Rules for Receipt of Notifications by Public Authorities, and on Determination of Public Authorities Receiving Notifications” (recorded in the Register of State Registration of Legal Acts under No. 10194).

8. Under paragraph 4 of Article 337 of the Code, business entities shall be removed from the register of business entities based on a decision of the competent authority in the field of environmental protection in cases of:

- 1) liquidation of the business entity;
- 2) the entry into force of a court decision;
- 3) the filing of an application by a business entity to voluntarily terminate its activities.

However, the business entity must fulfil all of its obligations prior to filing the application

9. As per paragraph 5 of Article 337 of the Code, business entities shall be excluded from the register of business entities by a court decision in cases of:

- 1) systematic (more than three times within twelve consecutive calendar months) violation of the requirements of the environmental legislation of the Republic of Kazakhstan;
- 2) failure to operate within twelve consecutive calendar months from the date of entry into the register of business entities.

10. In the case of liquidation of the business entity, the competent environmental authority shall take a decision on its removal from the register of business entities, specifying the period of removal within 30 calendar days of the receipt of the document confirming the liquidation of the business entity.

11. If the court decision becomes enforceable, the competent environmental authority shall exclude the business entity within 5 days of receiving the decision.

12. If the business entity voluntarily terminates its activities of collection, sorting and (or) transportation of waste, recovery and (or) destruction of non-hazardous waste, the competent authority for environmental protection shall, within 15 calendar days of receipt of the notice of voluntary termination, decide to remove it from the register of business entities.