

## **On Protection, Reproduction and Use of Animal World**

### *Unofficial translation*

The Law of the Republic of Kazakhstan dated 9 July, 2004 № 593.

#### **Unofficial translation**

Footnote. Throughout the text the words “on the water reservoirs (plots)”, “of the water reservoirs (plots)”, “the water reservoirs (plots)”, “to the water reservoirs (plots)” are respectively substituted by the words “on the water reservoirs and (or) plots”, “of the water reservoirs and (or) plots”, “the water reservoirs and (or) plots”, “to the water reservoirs and (or) plots” by the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); after the words “of the state control” and “the state control” are respectively supplemented by the words “and the supervision” and “and the supervision” by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

This Law regulates public relations in the field of protection, reproduction, and use of the animal world, as well as the preservation and reproduction of Kazakh breeds of dogs, and is directed at ensuring the conditions for preserving the animal world and its biological diversity, the sustainable use of the animal world objects in order to satisfy environmental, economic, aesthetic and other needs of a person, taking into account the interests of current and future generations.

**Footnote. Preamble as amended by the Law of the Republic of Kazakhstan dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).**

## **Chapter 1. General provisions Article 1. Basic concepts used in this Law**

The following basic concepts shall be used in this Law:

- 1) aquaculture - artificial reproduction and cultivation of fish resources and other water animals;
- 2) name plate - a sign indicating the name and boundaries of hunting farms, reproduction plots and zones of peace, fisheries waters and (or) plots, as well as the terms and places, prohibited for hunting and fishing;
- 3) a hunter – an individual, obtained the right to hunt in the manner established by the legislation of the Republic of Kazakhstan;
- 3-1) hunting dogs - Kazakh and other breeds of dogs used for hunting;
- 4) hunter's certificate – a standard document, certifying the right of individual to hunt;
- 5) reserve fund of hunting lands and fisheries waters and (or) plots – hunting lands and fisheries waters and (or) plots, not vested to the users of animal world;

6) hunting minimum (hereinafter - hunting minimum) – special short course of training programs, considering the issues of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world, safety regulations upon hunting, the awareness of which is compulsory condition for issuance of hunter's certificate;

7) Is excluded by the Law of the Republic of Kazakhstan dated 03.01.2023 № 185-VII ( shall be enforced from 01.07.2023);

8) hunter's trophy – animal (except for the fish resources and other water animals), its parts and derivatives taken out of the habitat in accordance with the legislation of the Republic of Kazakhstan;

9) hunting farm – a type of economic activity on sustainable use of objects of animal world in the hunting lands, preservation of habitat of animal world, their protection and reproduction;

10) a category of hunting farm - a unit of classification division of hunting farms on grounds of productivity of hunting lands, nature protection and reproduction measures, appropriated to the hunting farms on the basis of inter-farm hunting management;

11) the subject of hunting farm – individual or legal entity, keeping the hunting farm on the fixed hunting lands in the manner established by the legislation of the Republic of Kazakhstan;

12) internal regulation of hunting farm – a document, establishing procedure of hunting by individual in the territory of hunting farm, including the standards of production of animals, price list for services rendered;

13) hunting bird of prey - eagle, falcon, hawk and other types of birds of prey, used in hunting;

14) fishing – catching of fish resources and other water animals;

15) fisherman – individual, obtained the right to amateur (sports) fishing in the manner established by the legislation of the Republic of Kazakhstan;

16) fishing trophy – the object of fish resources and other water animals, their parts and derivatives taken out of the habitat in the manner established by the legislation of the Republic of Kazakhstan;

16-1) fish-planting material - larvae, whitebait, juveniles and other age groups of fish, depending on the object of fish farming, intended for stocking fish;

17) breeding season of fishes - period of time, during of which the spawning of one or another species of fishes is occurred;

18) a certificate of the origin of the catch - a document established by the authorized body confirming the origin of fish resources and other aquatic animals caught in fishery reservoirs and (or) areas or grown in fish farms;

19) fish protection device - a device to prevent the ingress of fish resources and other aquatic animals into water intake and waste disposal facilities;

20) fish-kill – mass death of fish resources and other water animals, caused by violation of hydrochemical and other modes of the reservoir, and (or) plot;

21) fish-kill dangerous reservoir and (or) plot - fishery water and (or) plot, subjected to periodic fish-kill;

22) fish migration - massive movement of fish from one inhabitation to another;

23) fish culture – direction of aquaculture on artificial reproduction and cultivation of fishes for the purposes of entrepreneurial activity;

24) fishery resources and other aquatic animals - total of all animals living in the aquatic environment, including aquatic biological resources, excluding plants;

25) basin principle of the state management of fish resources and other water animals ( hereinafter - basin principle) – unified system of management of fish resources and other water animals in the fisheries waters and (or) plots in recognition of features of reproduction and migration of fish resources and other water animals, applied by the authorized body in the field of protection, reproduction and use of animal world independent from administrative territorial division;

26) fish farm – a type of economic activity, related with protection, reproduction, aquaculture, fish culture, fishing, as well as processing and sale of fish resources and other water animals;

27) certification of fisheries waters and (or) plots – a complex of measures on identification of the boundaries of fisheries waters and (or) plots, their area, state, species composition of fish resources and other water animals, made up ??To fixation the fisheries waters and (or) plots;

28) the subject of fish farm – individual and legal entity, the basic direction of activity of which is the fish farm management;

28-1) fish processing pond - an artificially created water body (pond, fish pool) designated to create aquaculture farming conditions that is filled with water by means of hydro-technical structures or devices;

**29) Is excluded by the Law of the Republic of Kazakhstan dated 15.06. 2017 № 73-VI ( shall be enforced upon expiry of ten calendar days after its first official publication);**

30) fisherman – an employee of subject of fish farm, carrying out catching of fish resources and other water animals in the fixed fisheries waters and (or) plots by virtue of their employment duties;

31) certificate of fisherman – a standard document, issued by the subject of fish farm, certifying the right of individual to carry out functions of fisherman;

32) biological substantiation – scientifically based conclusion on the use of animal world, determination of allowable amount of seizure of objects of animal world, as well as on the activity, that may affect on the objects of animal world and their habitat;

32-1) shared aquatic biological resources - aquatic biological resources that are jointly managed by the states on the shores of the Caspian Sea;

33) derivative – derivative animal and products, made from it and its derivative;

34) game breeding – animals breeding, that are the object of hunting, the subjects of hunting farm;

35) animals – wild animals (mammals, birds, reptiles, amphibians, fishes, shellfish, insects and other), being in a state of natural freedom on land, water, atmosphere and soil;

36) a part of animal (hereinafter – part) - a fragment of the animal's body, allowing him to identify its kind;

37) hybridization of animals - crossing species of different species or breeds of animals in order to obtain species with the best economically useful signs or properties;

38) animal world – a set of animals, permanently or temporarily inhabiting in the Republic of Kazakhstan, as well as related to the natural resources of the continental shelf and exclusive economic zone of the Republic of Kazakhstan;

38-1) wildlife monitoring is a system of observation, assessment and forecasting of the state and dynamics of wildlife for the purpose of state management in the field of protection, reproduction and use of wildlife and conservation of biodiversity;

39) seizure of objects of animal world – extraction (acquisition, fishing, shooting, collecting, fighting) from the habitat of animals inhabiting in a state of natural freedom, their parts and derivatives on the basis of permission for the use of animal world;

40) artificial breeding of wildlife - keeping and breeding animal species in captivity and/or semi- captive conditions including lake-commodity fish farms, garden fish farms, pond fish farms and closed-loop fish farms;

41) protection of animal world – an activity, directed to preservation of animal world, its habitat and biological diversity, sustainable use and reproduction of objects of animal world, as well as complex of measures on prevention and struggle against infractions in the field of protection, reproduction and use of animal world;

42) state control in the field of protection, reproduction, and use of the animal world – an activity of the authorized state body in the field of protection, reproduction, and use of the animal world, department of the authorized body, and its territorial subdivisions for verification and monitoring of the audited entities for compliance of their activity with the requirements established by the legislation of the Republic of Kazakhstan, in the course of implementation and based on the results of which, measures of a law-restrictive nature may be applied without prompt response;

43) state supervision in the field of protection, reproduction, and use of the animal world – an activity of the authorized state body in the field of protection, reproduction, and use of the animal world, department of the authorized body, and its territorial subdivisions to verify and monitor compliance with the requirements of the legislation of the Republic of Kazakhstan by the audited entities of the legislation of the Republic of Kazakhstan, in the course of implementation and based on the results of which, measures of a law –restrictive nature may be applied, including prompt response;

44) an authorized state body in the field of protection, reproduction, and use of the animal world (hereinafter- an authorized body) is a central executive body, carrying out management in the field of protection, reproduction, and use of the animal world, in the field of preservation and reproduction of Kazakh breeds of dogs, as well as intersectoral coordination within the limits of its powers;

45) sustainable use of animal world – use of objects of animal world by methods, not leading to depletion of the species diversity of animal world and preserving its ability to reproduction and meeting the needs of current and future generations;

46) use of animal world – use of objects of animal world, their parts, derivatives and useful properties with seizure or without seizure from habitat;

47) permission for use of animal world – a standards document, granting the right to individuals and legal entities for the use of animal world, as well as export and sale of extracted objects of animal world, their parts and derivatives, including hunting and fishing trophies;

48) users of the animal world – individuals and legal entities, to whom the right to use of animal world is granted in accordance with this Law;

49) inevitable damage to the animal world - a residual damage, not prevented by the precautionary measures, caused and (or) causing to the animal world or its habitat by the adverse effect of the factors resulting from natural climatic and human intervention;

50) biological diversity of animal world – diversity of objects of animal world within one species, between species and diversity of ecological systems;

51) habitat of animal world - natural habitat, in which the objects of animal world inhabit in a state of natural freedom;

52) habitat protection of animal world – an activity directed at preservation of restoration of conditions of sustainable existence and reproduction of animal world in the state of natural freedom;

53) an object of animal world – species or animal population;

54) introduction of animals - premeditated or accidental distribution of animal species outside the areas (areas of distribution) to the new place for them, where previously these types are not inhabited;

55) reintroduction of animals – premeditated migration of animal species to the previous habitats;

56) reproduction of animal species – natural reproduction of animal species in the natural condition and their artificial breeding;

57) Is excluded by the Law of the Republic of Kazakhstan dated 15.06. 2017 № 73-VI ( shall be enforced upon expiry of ten calendar days after its first official publication);

58) a permit - the document (one-time or seasonal), issued to the individual to visit the fixed hunting lands and (or) fisheries waters and (or) plots for the purpose of acquisition the objects of animal world;

58-1) Illegal, unreported and unregulated fishing - illegal and/or unregulated activities of natural and legal persons to remove aquatic biological resources from their natural habitat;

59) zoological collection - a collection of stuffed animals, eggs, cryopreserved germinal cells, products and parts of objects of animal world, objects of animal world, as well as wild animals of zoos, zoological gardens, circuses, zoological nurseries, aquariums, oceanarium, presenting scientific, cultural and educational, teaching educational and aesthetic value;

59-1) ichthyological observations - collection and study of data on the status of the ichthyofauna of a fishery water body;

60) fish fauna - a set of species of fish and cyclostomes of any of water reservoir or its part;

60-1) fishery is the activity of natural and legal persons whose purpose is to remove aquatic biological resources from their natural habitat;

60-2) fishing effort is the volume of production operations directly aimed at harvesting fish and other aquatic animals including, inter alia, the permitted number of fishing gear and equipment, floating craft, fishermen on the fishery bodies and/or areas assigned to the fishery;

61) commercial stock - population or sustainable over time and spatially isolated part, having an independent commercial value;

62) accidental catch – a part of catch consisting of fish species and other water animals, not specified in the permits and (or) fishes of below established commercial sizes;

62-1) cynological activity is an activity related to training, training to chase an animal of Kazakh breeds dogs and their other preparation for practical use, including in sports and hunting, organizing and conducting zootechnical, sports and other mass events using dogs of Kazakh breeds, training of experts and training of specialists in working with Kazakh breeds of dogs.

Under the training, training to chase an animal of Kazakh breeds dogs and their other preparation for practical use, it is necessary to understand the upbringing and training of dogs of Kazakh breeds to work and (or) preparation for hunting, sports, and field trials;

62-2) lake-commercial fish farming is a type of economic activity for the cultivation of fish and other aquatic animals in semi-voluntary controlled conditions by completely or partially replacing the ichthyofauna in natural and artificial reservoirs;

63) cryopreserved germinal cells - samples of germinal cells (gametes), the embryos and different animal tissues, being in a state of low temperature and other forms of conservancy, giving the opportunity to further use in order to obtain offspring, separation of genomes or other scientific researches;

63-1) rice paddy is a plot of land for growing rice or other crops that is flooded with water and can be used for fish farming;

63-2) the fishing zone of the Republic of Kazakhstan (hereinafter referred to as the fishing zone) is a maritime belt ten nautical miles wide, measured from the State Border (the outer limit of territorial waters) subject to the principles and norms of international law, within

which the Republic of Kazakhstan has an exclusive right to fish for aquatic biological resources;

63-3) Kazakh breeds of dogs are ancient breeds - Kazakh tazy and Kazakh tobet, corresponding to the approved standard of Kazakh breeds of dogs;

63-4) the standard of Kazakh breeds of dogs is a description of dogs of Kazakh breeds according to exterior-constitutional characteristics and using qualities;

63-5) Unified pedigree book of dogs of Kazakh breeds (hereinafter- the Unified pedigree book) is a set of data on the dogs of Kazakh breeds indicating the information about the origin , pedigrees, exterior-constitutional characteristics and other qualities;

63-6) a certificate of origin of a Kazakh breed dog (hereinafter-the certificate of origin) is a document containing information about its pedigree;

64) huntsman - specifically authorized person of hunting service, ensuring protection of animal world in the fixed hunting lands and fisheries waters and (or) plots;

65) certificate of huntsman – a standard document, certifying the right of huntsman;

66) hunting service – a structural subdivision of subjects of hunting and fish farm, carrying out functions of protection of animal world on the fixed hunting lands and fisheries waters and (or) plots;

67) wintering pit – a place of mass fish concentration in the winter period in the dredging of the reservoir;

67-1) common water area - the part of the Caspian Sea water area located outside the outer limits of the fisheries zones and used by the states located on the shores of the Caspian Sea;

68) river basin (sea, lakes) – a part of the earth surface and the thickness of soil, limited by watershed from which the water flows into the river (sea, lake);

69) zone of recreational fishing – a plot of fisheries waters and (or) the plot and adjacent seashore, defined by the local executive body according to the established procedure for carrying out of amateur (sports) fishing;

70) servitude - the right of limited designated use of someone else's land and water body, including a fixed fishery reservoir and (or) a site for the needs of hunting and fish farms;

71) stocking of reservoirs - release of fish-planting material and fish into water bodies and (or) areas with the purpose of creating self-reproducing populations, preserving valuable, rare and endangered fish species and (or) obtaining marketable products;

71-1) aquatic biological resources - fish, molluscs, crustaceans, mammals and other aquatic animal and plant species living in the territorial waters, fishing zone and common water area;

71-2) closed-loop fish farming is an economic activity related to the artificial breeding of fish and other aquatic animals using closed-loop water technology;

72) fish amelioration of water bodies - a complex of measures directed at preservation and increasing of fish capacity of reservoirs, improvement of living conditions and reproduction of fish resources and other water animals;

73) draught - a complex process carried out by surrounding of a certain part of water area of reservoirs by filtering-type fishing weapons (nets) for the purpose of fishing in the shore land, as well as in the open water mass;

73-1) pond fish farming is a type of economic activity for raising fish and other aquatic animals using fish processing ponds;

73-2) cage fish farming is a type of economic activity for raising fish and other aquatic animals in special devices (cages) located in natural and artificial water bodies and allowing them to be kept in semi-free, controlled conditions;

73-3) a purebred dog of the Kazakh breed is a dog of the Kazakh tazy or Kazakh tobet breed that meets the approved standard of Kazakh dog breeds and has a certificate of origin containing information about at least three continuous generations of ancestors belonging to the same breed;

74) a rest zone – the territory of particular importance for the conservation or restoration of wildlife, determined by a hunting entity, within which (permanently or temporarily) certain types and forms of economic activity are prohibited or regulated;

75) specialized organizations of the authorized body and local executive bodies ( hereinafter - specialized organizations) are state institutions for the protection, reproduction, and sustainable use of the animal world and republican state enterprises for ensuring the protection, reproduction, and sustainable use of the animal world, as well as the preservation and reproduction of Kazakh dog breeds;

76) spawn – a process of spawning of full caviar by fishes and its subsequent fertilization;

77) spawning - fish spawning ground;

78) fishery (fishery plot) - part of the river or other flowing water reservoir with limited water area of the reservoir and the adjacent seashore, intended and adapted for the needs of commercial fishing;

78-1) farm hunting - a hunting farm, specializing in the artificial breeding of animals that are privately owned, for hunting purposes;

79) interfarm hunting management - delimitation of the boundaries and categories of hunting farm, calculation of its area, determination of the state of animal world and its habitat, methods for recording animals, control routes and animal registration areas for the projected hunting farms;

80) Is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII ( shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

Footnote. Article 1 is in the wording of the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first

official publication); as amended by the Laws of the Republic of Kazakhstan dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication); dated 28.10.2019 № 268-VI ( shall be enforced upon expiry of ten calendar days after the day of its first official publication ); № 399-VI of 02.01.2021 (shall be enacted upon expiration of ten calendar days after its first official publication); № 11-VII of 23.02.2021 (see Art. 2 for the enactment procedure); № 26-VII of 01.04.2021 (shall come into force upon expiration of ten calendar days after its first official publication); № 34-VII of 30.04.2021 (shall take effect upon expiration of ten calendar days after its first official publication); № 401-VI of 02.01.2021 (shall be enacted on 01.07.2021); dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

## **Article 2. The legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world**

1. The legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world shall be based on the Constitution of the Republic of Kazakhstan and shall consist of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. If by the international treaty, ratified by the Republic of Kazakhstan, made other rules than those that contained in this Law, the rules of the international treaty shall be applied.

## **Article 3. The categories of animal world**

1. Animal world on its purposive appointment shall be subdivided into the following categories:

- 1) rare and endangered animal species;
- 2) animal species, being the object of hunting;
- 3) animal species, being the object of fishing;
- 4) animal species, used in other economic purposes (except for the hunting and fishing);
- 5) animal species, not used in the economic purposes, but having ecological, cultural and other value;
- 6) animal species, the number of which subjects to regulation for the purposes of health protection of population, protection from diseases of farm and other domestic animals, prevention of damage to the environment, prevention of the danger of causing significant damage to agricultural activity.

2. Classification of animals species into categories and their transfer from one category to another shall be carried out on the basis of a biological justification for conservation of species diversity in the animal world, their protection, reproduction and sustainable use, on the recommendation of the inter-agency zoological commission.

Footnote. Article 3 as amended by the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 4. Ownership of animal world and objects of animal world**

1. The animal world belongs to the people of Kazakhstan. The State exercises the right of ownership on behalf of the people of Kazakhstan. At the same time, the exercise of the right of ownership by the state shall be implemented through the regime of state ownership in the interests of the people of Kazakhstan.

2. The objects of animal world, seized from habitat in the manner established by this Law, as well as bred and managed in captivity and (or) semi-free conditions shall be the property of individuals and legal entities, that are procured, bred and manage them.

Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

#### **Article 5. Subjects of relations in the field of protection, reproduction, and use of the animal world, as well as in the field of preservation and reproduction of Kazakh breeds of dogs**

Footnote. A heading as amended by the Law of the Republic of Kazakhstan dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).

The subjects of relations in the field of protection, reproduction, and use of the animal world, as well as in the field of preservation and reproduction of Kazakh breeds of dogs shall be individuals and legal entities, as well as the state bodies.

Footnote. Article 5 as amended by the laws of the Republic of Kazakhstan dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).

#### **Article 6. The basic principles of the state management in the field of protection, reproduction , and use of the animal world, as well as in the field of preservation and reproduction of Kazakh breeds of dogs**

Footnote. A heading as amended by the Law of the Republic of Kazakhstan dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).

1. The basic principles of state management in the field of protection, reproduction, and use of the animal world shall be:

- 1) ensuring protection, reproduction and sustainable use of animal world;
- 2) use of animal world by methods, not permitting abusive handling of the animals in accordance with principles of humanity;

3) inadmissibility of combining activities for implementation of state control and supervision over the use and protection of animal world with the activity on using of animal world objects, except for the activity on removal of sturgeon species from natural habitat, their purchase, processing and sale of their eggs and other product, referred to the state monopoly;

4) separation of the right to use of animal world from the right to use of land, water, flora and other natural resources;

5) payment for the special use of animal world;

6) the inevitability of responsibility for violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world;

7) participation of citizens and public associations in the tasks solution in the field of protection, reproduction and sustainable use of objects of animal world.

2. The basic principles of state management in the field of preservation and reproduction of Kazakh breeds of dogs shall be:

1) ensuring the preservation and reproduction of Kazakh breeds of dogs;

2) protection of the purebredness of the Kazakh breeds of dogs.

**Footnote. Article 6 as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).**

**Article 6-1. A system for ensuring protection, reproduction, and sustainable use of the animal world, as well as in the field of preservation and reproduction of Kazakh breeds of dogs**

**Footnote. A heading as amended by the Law of the Republic of Kazakhstan dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).**

1. A system for ensuring protection, reproduction, and sustainable use of the animal world shall include:

1) The Government of the Republic of Kazakhstan;

2) the authorized body, including its department with territorial subdivisions;

3) other state bodies, carrying out activity in the field of protection, reproduction and sustainable use of animal world;

4) bodies of local state management;

5) specialized organizations;

**6) Is excluded by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);**

7) scientific organizations in the field of protection, reproduction and use of animal world;

8) subjects of hunting and fishing farms; 9) republican associations of public associations of hunters and subjects of hunting farm, as well as public associations of fishermen and subjects of fish farm.

2. A system for ensuring the preservation and reproduction of Kazakh breeds of dogs shall include:

- 1) the authorized body, the department of the authorized body, and its territorial subdivisions;
- 2) other state bodies carrying out activity in the field of preservation and reproduction of Kazakh breeds of dogs;
- 3) the National Center for Kazakh breeds of dogs;
- 4) individuals and legal entities engaged in cynological activities.

**Footnote.** The Law is supplemented by Article 6-1 in accordance with the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (the order of enforcement see Article 2); date 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).

#### **Article 6-2. The bodies and civil servants of the state management in the field of protection, reproduction and use of animal world**

The bodies and officials of state administration in the field of protection, reproduction and use of animal world shall include the President of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan, the authorized body, including its department with territorial units.

**Footnote.** The Law is supplemented by Article 6-2 in accordance with the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 05.07.2011 № 452-IV (shall be enforced from 13.10.2011); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 7. Features of the state management in the field of protection, reproduction and use of fish resources and other water animals**

State accounting, cadastre, monitoring and control over the use of fish resources and other aquatic animals, as well as their study, protection and reproduction constitute a unified system of state administration and are carried out in fishery reservoirs and (or) areas according to the basin principle, as well as in fish farms.

State monitoring of fish and other aquatic animals is an integral part of the state administration system in the field of protection, reproduction and use of the animal world.

State monitoring of fish and other aquatic animals is a system capable of ensuring the collection and timely processing of information on caught, purchased, farmed fish or other aquatic animals, wholesale and retail sales of fish and other aquatic animals, export and

import in order to timely detect and prevent sale of fish and other aquatic animals of illegal origin.

State monitoring of fish and other aquatic animals is carried out by the authorized body together with local executive bodies in accordance with the rules for monitoring fish and other aquatic animals.

Footnote. Article 7 as amended by the Law of the Republic of Kazakhstan dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

**Article 8. The competence of the Government of the Republic of Kazakhstan in the field of protection, reproduction, and use of the animal world, as well as in the field of preservation and reproduction of Kazakh breeds of dogs**

Footnote. A heading as amended by the Law of the Republic of Kazakhstan dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).

The Government of the Republic of Kazakhstan shall:

1) develop the basic directions and ensure the implementation of state policy in the field of protection, reproduction, and use of the animal world, as well as in the field of preservation and reproduction of Kazakh breeds of dogs;

2) exercise the right of possession, use and disposition of the animal world;

3) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

4) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

5) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

6) shall take a decision to export individuals of sturgeon species caught from the natural habitat and their fertilized caviar out of the Republic of Kazakhstan in a living form;

7) adopt decision on seizure of rare and endangered species of animals, their part or derivatives;

8) approve the list of rare and endangered species of animals and transfer them in other category;

9) shall introduce restrictions on international trade in rare and endangered species of animals, their parts and derivatives, bred in captivity and (or) semi-free conditions;

10) carry out international cooperation in the field of protection, reproduction and use of animal world;

11) approve the ruled of application of special means and service weapon by the state inspectors on protection of animal world and inspectors of specialized organizations on protection of animal world, as well as application of service weapon by the huntsmen;

12) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Footnote. Article 8 is in the wording of the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

**Article 9. The competence of the authorized body, its department with territorial subdivisions, and other state bodies of the Republic of Kazakhstan, carrying out activities in the field of protection, reproduction, and use of the animal world**

Footnote. Title of Article 9 is in wording of the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).

1. The authorized body shall:

1) form and implement the state policy and carry out cross-sectoral coordination in protection, reproduction and use of wildlife;

2) carry out coordination and methodological management of local executive bodies in the field of protection, reproduction and use of animal world;

3) develop and approve the regulatory legal acts in the field of protection, reproduction, and use of the animal world, as well as in the field of preservation and reproduction of Kazakh breeds of dogs;

3-1) monitor the registration of dogs of Kazakh breeds conducted in accordance with the Law of the Republic of Kazakhstan “On responsible treatment of animals”;

3-2) approve the standards of Kazakh breeds of dogs;

4) develop and approve the forms of the acts of the state inspector on protection of animal world, procedure of their preparation and issuance;

5) develop and approve norms and standards in the field of protection, reproduction and use of animal world;

5-1) determines the list of requirements, the violation of which shall entail the application of rapid response measures, and also determines a specific type of rapid response measure in relation to specific violations of the requirements, indicating the period of validity of this measure (if necessary).

The list of requirements, the violation of which entails the application of rapid response measures, includes requirements that are the subject of state control in accordance with Article 143 of the Entrepreneurial Code of the Republic of Kazakhstan;

6) develop and approve samples of uniforms with signs of distinction (without epaulettes), the order of wearing and the norms of providing it to officials of the department of the authorized body and its territorial units exercising state control and supervision in the field of

protection, reproduction and use of animal world, as well as workers of State institutions and organizations that directly protect animal world;

7) develop and approve methods for determining the rates of payments for the use of animal world and the amount of compensation for damage caused by the violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world, as well as calculating the amount of compensation for damage, causing and caused on fish resources and other aquatic animals, including the inevitable, as a result of economic activity;

8) develop and approve the form and procedure of issuance of certificates of hunter, fisherman and huntsman;

9) issues a conclusion (an authorization document) for the export of wild live animals from the customs territory of the Eurasian Economic Union, including rare and endangered ones;

10) issue permits for the import of animal species into the territory of the Republic of Kazakhstan, export and (or) re-export from the territory of the Republic of Kazakhstan, falling under the Convention on International Trade of the endangered species of wild fauna and flora;

11) develop and approve procedure of preparation of biological substantiation for the use of animal world;

12) develop and approves standard forms of contracts for the management of hunting and fish farms;

13) develop and approve the standard form of development plan of subjects of hunting and fish farm;

14) develop and approve the standard form of a permit, as well as procedure of its issuance;

15) determine the lists of species of animals, referred to the categories, provided by subparagraphs 4), 5) and 6) of paragraph 1 of Article 3 of this Law and transfer them from one category to another, except for assignment to the category of rare and endangered;

16) develop and approve the list of permitted for use commercially exploited and non-exploited types of weapons and methods of fishing;

17) organize and (or) ensure the conduct of scientific research and design and survey work in the field of protection, reproduction and use of animal world on the territory of two or more regions;

18) develop and approve the lists of wetlands of international and republican significance;

19) organize maintaining of the state accounting, cadaster and monitoring of animal world ;

20) develop and approve requirements of fish protection devices for water intake and waste disposal facilities and coordinate their installation;

20-1) develops and approves a plan for stocking fishery reservoirs on the basis of recommendations of a scientific organization;

21) develop and approve procedure of water traffic in the prohibited for fishing spawning period, as well as in the prohibited for fishing reservoirs and (or) plots;

22) develop and approve procedure of marking of caviar of sturgeon species of fishes for the trade in the internal and external markets and the form of mark for the trade of caviar of sturgeon species of fishes in the external market and carry out issuance of the mark for the trade in the internal market;

23) carry out and (or) organize fishing for the purpose of introduction, reintroduction and hybridization, fishing for reproductive purposes, fishing in frozen water bodies and (or) areas, and also carry out control fishing;

24) issue permissions for the use of animal world for the purposes of scientific and research fishing in the fisheries waters, located on the two and more regions, as well as for the rare and endangered species of animals;

25) verify activity of users of animal world for the purposes of determination of observance of requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world;

26) carry out production in the cases of administrative infractions within the competence, established by the Laws of the Republic of Kazakhstan;

26-1) prepare and file a claim in court on the issues of protection, reproduction and use of wildlife;

27) carry out the state control and supervision in the field of protection, reproduction and use of animal world;

28) maintain, place and quarterly updates the register of zoological collections on the web-sites;

29) develop and approve the samples of name plates of boundaries of hunting farms, reproduction plots and zones of peace, fisheries waters and (or) plots, as well as the terms and places, prohibited for hunting and fishing, the form of registration book of catching of fish resources and other water animals (logbook);

30) on the basis of scientific recommendations adopt decision on ameliorative fishing in the cases of occurrence of the treat of fish-kill, which will inevitably lead to the death of fish and impossibility of elimination of such treat by conducting of current fishery amelioration of water objects or their parts;

30-1) is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

31) carry out international cooperation in the field of protection, reproduction and use of animal world;

32) Is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 № 269-V (shall be enforced from 01.01.2015);

33) develop and approve the rules of awarding of honorary ranks, badges and certificates of honour in the field of protection, reproduction and use of animal world;

34) develop and approve the form of badge of huntsman and special clothes with the signs of differences;

35) develop and approve the rules on interfarm hunting management in the territory of the Republic of Kazakhstan;

36) Is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

37) develop and approve instruction on maintaining of accounting of species of animals in the territory of the Republic of Kazakhstan;

38) develop and approve the hunting minimum;

39) develop and approve the rules for holding the hunting minimum examination by the Republican Association of Public Associations of Hunters and Hunting Entities;

40) develop and approve the rules of accreditation of republican associations of public associations of hunters and subjects of hunting farm, as well as public associations of fishermen and subjects of fish farm, conduct their accreditation;

41) develop and approve the reporting form on issuance of certificates of hunter;

42) carry out reception of notifications on the commencement or termination of an activity for artificial breeding of animals, the species of which are included in Annexes I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora;

43) develop and approve the ruled of conducting of works on stocking of reservoirs, fishery amelioration of water objects;

44) develop and approve the list of fishery water reservoirs of international and republican importance;

45) develop and approve the rules of assignment of reservoirs to the wetlands of international and republican significance;

46) develop and approve the amount so compensation of damage, caused by the violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world;

47) develop and approve the rules of sale of sturgeon species of fishes, seized from the natural habitat, and their caviars by the state enterprise, being the subject of the state monopoly;

47-1) develop and approve the rules for subsidising increased productivity and quality of aquaculture (fish farming) products, as well as the development of pedigree fish farming;

47-2) develop and approve the rules for subsidies to reimburse a portion of the costs incurred by the fishery entity in making investments;

- 47-3) develop and approve rules for subsidizing the fish products processing;
- 47-4) develop and approve rules for subsidizing interest rates in lending to fishery entities ;
- 48) develop and approve provision on the state protection of animal world;
- 49) develop and approve the rules of establishment of restrictions and prohibitions for the use of objects of animal world, their parts and derivatives;
- 50) develop and approve the list of officials of the department of the authorized body and its territorial subdivisions exercising state control and supervision in the field of protection, reproduction and use of animal world, as well as employees of state institutions and organizations that directly protect the fauna and having the right to wear uniform with signs of distinction (without shoulder straps);
- 51) develop the rules of use of special means and service weapons by the state inspectors on protection of animal world and inspectors of specialized organizations on protection of animal world, as well as use of service weapons by huntsmen;
- 52) develops and approves the rules for issuing permits by the administrative body for import of animal species into the territory of the Republic of Kazakhstan, export and (or) re-export from the territory of the Republic of Kazakhstan, falling under the Convention on International Trade of the endangered species of wild fauna and flora;
- 53) develop and approve the form of certificate of origin of the catch;
- 54) is excluded by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI ( shall be enforced upon expiry of ten calendar days after its first official publication);
- 55) develop and approve the limits for the taking of species that are hunted and the limits for the taking of fish and other aquatic animals;
- 56) develop and approve the rules of allocation of quotas of seizure of objects of animal world;
- 57) develop and approve the rules of hunting, fishing;
- 58) develop and approve the rules of hunting farm management and rules of fish farm management;
- 59) develop and approve the rules of issuance of permissions for the use of animal world;
- 60) develop and approve the rules of issuance of permissions for production of introduction, reintroduction and hybridization of animals;
- 61) develop and approve the rules of regulation of animal numbers;
- 62) make a decision on the introduction of restrictions and prohibitions on the use of wildlife, their parts and derivatives, establish the places and periods of their use on the basis of a biological justification issued by the relevant scientific organizations, subject to state environmental expertise, subject to state environmental expertise;
- 63) develop and approve the rules of maintaining of the state accounting, cadaster and monitoring of animal world;

64) develop and approve the rules of creation and the state accounting of zoological collections;

65) develop and approve the rules of conducting of competition on fixation of hunting lands, fisheries waters and (or) plots and qualifying requirements, presented to the participants of competition;

65-1) is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

65-2) develop and approve rules for assigning fishery water bodies and (or) sites for the purpose of implementing investment projects in fishery and qualification requirements for investors;

66) develop and approve the list of valuable species of animals, being the objects of the hunting and fishing;

67) develop and approve the model regulation on hunting service of subjects of hunting and fish farm;

68) develop and approve the list of derivatives;

69) develop and approve the rules for the keeping, breeding in captivity and semi-freezing of rare and endangered animal species and species subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;

70) develop and approve the rules of maintaining of accounting and registration of hunting birds of prey used for hunting;

71) develop and approve the rules for the introduction, reintroduction and hybridization of animals;

72) is excluded by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI ( shall be enforced upon expiry of ten calendar days after its first official publication);

73) is excluded by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI ( shall be enforced upon expiry of ten calendar days after its first official publication);

74) organize and ensure reproduction and the state accounting of animal world in the reserve fund of fisheries waters and (or) plots and hunting lands;

75) issue permissions for production of introduction, reintroduction and hybridization of animals;

76) carry out the state control and supervision of local executive bodies in the field of protection, reproduction and use of animal world;

76-1) decide to postpone the prohibition on taking wildlife species by fifteen calendar days to one side or the other, depending on natural and climatic conditions, without changing the total duration of the prohibition on the recommendation of accredited scientific organisations in the field of wildlife protection, reproduction and use;

77) conduct a tender for the assignment of international, national and local fisheries sites;

77-1) develop and approve the rules for ichthyological observations;

77-2) develop and approve the fishing effort standards;

77-3) develop and approve norms for equipping material and technical facilities of territorial subdivisions of the department of the authorized body, local executive bodies engaged in the protection, reproduction and use of animal world, and specialized organizations in coordination with the central authorized body for budget planning;

77-4) develop and approve rules for fish farming in fishery water bodies;

77-5) is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

77-6) develop and approve rates of waste, losses and costs of raw materials during processing of sturgeon products by a state monopoly entity;

77-7) is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

77-8) develop and approve rules for the use of animals, except for rare and endangered, in order to prevent epizootics;

77-9) develops and approves the rules for monitoring fish and other aquatic animals;

77-10) develop and approve the rules for the transfer of fishery water bodies and (or) areas allocated for fishing into fishery water bodies and (or) areas for fish farming (aquaculture);

77-11) issues a license for the export of wild live animals from the customs territory of the Eurasian Economic Union, including rare and endangered ones;

77-12) develop and approve fish farming regulations for the artificial reproduction, commercial farming and transport of key aquaculture species using various technologies;

77-13) develop and approve the rules for the sale by a state enterprise engaged in the breeding of juvenile sturgeon species, fish stocking material and live sturgeon specimens after the removal of their genital products for reproductive purposes;

77-14) enter into fisheries contracts;

77-15) issue a permit for the use of wildlife for the purpose of catching aquatic biological resources in the fishing zone and common water area;

77-16) make decisions on the allocation and (or) re-allocation of fishery water bodies and (or) areas;

77-17) make decisions on the transfer of fishery water bodies and (or) areas allocated for fishing into fishery water bodies and (or) areas for fish farming (aquaculture);

77-18) make decisions on assigning fishery water bodies and (or) sites for the implementation of investment projects in fishery;

78) exercise other powers, provided by this Law, other Laws, the acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

The Office with territorial units shall carry out its activities within the competence established by the authorized body.

2. The competence of other state bodies of the Republic of Kazakhstan, carrying out activity in the field of protection, reproduction, and use of the animal world, as well as in the field of preservation and reproduction of Kazakh breeds of dogs shall be established by the legislation of the Republic of Kazakhstan.

Footnote. Article 9 is in the wording of the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 № 269-V (shall be enforced from 01.01.2015); of March 29, 2016 № 479-V (shall be enforced upon expiry of ten calendar days after its first official publication); of June 15, 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication) ; № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication); dated 28.10.2019 № 268-VI (the order of enforcement see Art. 2); № 399-VI of 02.01.2021 (shall be enacted ten calendar days after the date of its first official publication); № 11-VII of 23.02.2021 (see Art. 2 for the enactment procedure); № 34-VII of 30.04.2021 (shall be entered into force ten calendar days after its first official publication); № 401-VI of 02.01.2021 (shall take force on 01.07.2021); № 75-VII of 24.11.2021 ( shall enter into force ten calendar days after the date of its first official publication); dated 03.01.2023 № 185-VII ( see Article 2 for the procedure of entry into force); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication); dated 06.04.2024 № 71-VIII (for enforcement procedure, see Art. 2).

#### **Article 10. The competence of bodies of local state management in the field of protection, reproduction and use of animal world**

1. Local executive bodies of the Republic of Kazakhstan shall:

1) Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 № 124-V ( shall be enforced upon expiry of ten calendar days after its first official publication);

2) consider the reports of the heads of local executive bodies on issues of protection, reproduction and use of animal world;

3) exercise other powers on ensuring of rights and legal interests of citizens in accordance with the legislation of the Republic of Kazakhstan.

2. Local executive bodies of the Republic of Kazakhstan shall:

1) Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 № 124-V ( shall be enforced upon expiry of ten calendar days after its first official publication);

1-1) implement the state policy in the field of protection, reproduction and use of animal world;

2) carry out coordination and control and supervision of activity of bodies and organizations, subordinated them, in the field of protection, reproduction and use of animal world;

3) is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII ( shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

3-1) approve the list of fishery water bodies and (or) areas of local importance;

4) make decisions on the allocation of hunting grounds to users of wildlife and the establishment of easements for the needs of hunting in the manner established by the legislation of the Republic of Kazakhstan;

4-1) is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII ( shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

5) Is excluded by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

5-1) organize the measures on rendering assistance to the animals in the case of their diseases, the threat of their death on the unfixed hunting lands and fisheries waters and (or) plots;

5-2) conduct competitions on fixation of hunting lands for the users of animal world for the needs of hunting farm;

5-3) excluded by Law № 399-VI of the RK of 02.01.2021 (shall be enacted ten calendar days after the date of its first official publication);

5-4) organize activities for introduction, reintroduction and hybridization, as well as for artificial breeding of animals, including rare and endangered species of animals;

5-5) organize and ensure protection of animal world in the reserve fund of hunting lands;

5-6) organize and ensure protection in the reserve fund of fisheries waters and (or) plots;

5-7) maintain certification of fisheries waters and (or) plots on the basis of scientific recommendations;

5-8) establish the zones of recreational fishing;

5-9) establish the boundaries of fisheries areas, open and close the fisheries (fishery plot);

5-10) issue permissions for the use of animal world, except for the scientific and research fishing in the fisheries waters, located in the territory of two and more regions, as well as rare and endangered species of animals;

5-11) organize and (or) ensure the conduct of scientific research and design and survey work in the field of protection, reproduction and use of animal world in the region;

5-12) organize reclamation fishing in cases of threat of freezing at fishery water reservoirs and (or) plots of the reserve fund on the basis of the decision of territorial subdivision of the authorized body;

5-13) reimburse parts of the costs incurred by the fishery entity in making the investment;

5-14) grant subsidies to improve the productivity and quality of aquaculture (fish farming) products, as well as the development of pedigree fish farming;

5-15) subsidize processing of fish products;

5-16) subsidize interest rates for lending to fishery entities;

6) exercise other powers, imposed on local executive bodies by the legislation of the Republic of Kazakhstan in the interests of local state management.

Footnote. Article 10 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 05.07.2011 № 452-IV (shall be enforced from 13.10.2011); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 399 -VI of 02.01.2021 (shall come into force ten calendar days after its first official publication); № 75-VII of 24.11.2021 (shall take force ten calendar days after its first official publication); dated 06.04.2024 № 71-VIII (for enforcement procedure, see Art. 2).

#### **Article 11. The state accounting, cadaster and monitoring of animal world**

Footnote. The title as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

The state accounting, cadaster and monitoring of animal world, containing collection of details on the state and geographic range of species of animals, on their numbers, results of routine observations, volumes of their practical use and other necessary data shall be maintained for ensuring of protection, reproduction and use of animal world.

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 11-1. The state monopoly in the field of protection, reproduction and use of animal world**

1. The activity for the removal of sturgeon species from natural habitat, except for fishing for reproduction purposes and research fishing, their purchase, processing and sale of their caviar and other products shall belong to the state monopoly and shall be carried out exclusively by the state enterprise.

1-1. Artificial reproduction of sturgeon species of fish and implementation of fish-planting material and individuals of sturgeon species in live form after removing sexual products from them for reproductive purposes shall be related to the activity, technologically related to the activity of state monopoly in the field of protection, reproduction and use of animal world.

2. Individuals and legal entities, purchased the products from the subjects of the state monopoly shall have a right to carry out its further processing and sale.

3. In cases of bycatch of sturgeon species of fish, and also in the event of discovery of ownerless fishing gear with sturgeon species, viable individuals shall to be released into the natural habitat or transferred to state enterprises that produce young sturgeon species in the state order, and non-viable individuals shall be subject to release into natural habitat.

4. The removal of sturgeon species from natural habitat for reproductive purposes and scientific research shall be carried out in accordance with the fishing rules.

5. The price for products sold by the subject of the state monopoly shall be established by the authorized body by agreement with antimonopoly body.

**Footnote.** The Law is supplemented by Article 11-1 in accordance with the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (shall be enforced from 01.01.2011); as amended by the Laws of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication) ; dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

### **Chapter 3. Protection of animal world Article 12. Basic requirements on protection of animal world**

1. An activity that affects or may affect on the state of animal world, habitat, breeding conditions and migration paths of animals shall be carried out with observance of requirements, as well as ecological, insure safety and reproduction of animal world, habitat and compensation of causing and caused damage, as well as inevitable.

2. Upon carrying out of activity that affects or may affect on the state of animal world and habitat shall be provided observation of the following basic requirements:

1) preservation of biological diversity and integrity of animal communities of animal world in the state of natural freedom;

2) preservation of habitat, breeding conditions, migration paths and places of concentration of objects of animal world;

3) scientifically reasonable, rational use and reproduction of objects of animal world;

4) regulation the numbers of objects of animal world for the purposes of preservation of biological balance of nature;

5) reproduction of animal world, including artificial breeding of species of animals, as well as valuable, rare and endangered with subsequent release to the habitat.

3. *Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication).*

*Footnote. Article 12 as amended by the Laws of the Republic of Kazakhstan dated 09.01.2007 № 213 (the order of enforcement see Article 2); dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication).*

### **Article 13. Protection of animal world**

Protection of animal world shall be carried out by:

- 1) establishment and compliance with rules, norms and standards for protection, reproduction and use of animal world objects;
- 2) establishment of restrictions and prohibitions for the use of animal world; 3) protection of valuable, rare and endangered species of animals;
- 4) prevention of violations of established rules of the use of animal world;
- 5) organization of protection of habitat, breeding conditions, migration paths and places of concentration of animals;
- 6) fixation of territories, water area for the users of animal world with obligations, imposed on them on protection of objects of animal world;
- 7) creation of specially protected natural territories;
- 8) artificial breeding of species of animals;
- 9) rendering of assistance to the animals in the case of diseases, the threat of death upon natural disasters and due to other reasons;
- 10) organization of scientific researches in the field of protection, reproduction and use of animal world;
- 11) promotion of ideas of protection and sustainable use of objects of animal world;
- 12) promotion activity of individuals and legal entities on protection of animal world;
- 13) education for citizens in the spirit of humane and solicitous attitude to the animal world.

*Footnote. Article 13 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).*

### **Article 14. Establishment restrictions and prohibitions for the use of animal world for the purposes of its preservation and reproduction**

1. For the purposes of preservation and reproduction of objects of animal world shall be established:

- 1) limitation of terms of the use of animal world;
- 2) prohibitions of methods, means and types of weapons of acquisition;
- 3) change of regulations of seizure of objects of animal world;
- 4) restriction the number of users of animal world;
- 5) restrictions on the place of use of wildlife;

6) measures to combat illegal, unreported, unregulated fishing and illegal trade in products made from aquatic biological resources.

2. The ground for establishment of restrictions and prohibitions shall be:

- 1) violation of sex-age structure of animal population;
- 2) reduction the numbers of animals;
- 3) deterioration of habitat;
- 4) the need of creation of the zones of peace in the places of mass congestion of animals in the period of migration and breeding.

5) the need to provide conditions for fish spawning, depending on hydrometeorological conditions.

3. For the purposes of preservation of objects of animal world shall be prohibited:

- 1) plant destruction and other actions, deteriorating the habitat conditions of animals;
- 2) plowing of lands with settlement of animals, inhabiting in colonies, closer twenty meters from the beginning of location of their holes around the perimeter or without preliminary resettlement in another place;
- 3) destruction and damage of houses and nests of animals, collection of eggs without permission of the authorized body;
- 4) riding on boats, motor boats and other floating vehicles with an engine in the designated places of mass nesting of swimming birds and spawning of fishes during their breeding;
- 5) flight of airplanes, helicopters and other aircrafts over the territory of mass seal habitats , wild ungulate animals and colonial birds below one kilometer;
- 6) destruction of animal habitat, damage of seeds of fodder plants, protective plantings, sodium soils, troughs for animals, signposts, structures, intended for hunting and fish farm;
- 7) seizure of rare and endangered species of animals, their parts or derivatives without the decision of the Government of the Republic of Kazakhstan;
- 8) extraction of wildlife objects in excess of the established limit and beyond the time limits specified in permits for the use of wildlife or permits, as well as in rest zones and reproduction areas;
- 9) production of objects of animal world with the use of types of weapons, methods and means of acquisition of animals, not provided by the rules of hunting and fishing;

10) extraction of objects of the animal world with the use of explosive devices, toxic chemicals and other chemical preparations (with the exception of the use of toxic chemicals and other chemical preparations for extermination of field rodents, as well as in cases of rabies epizootics and other animal diseases);

11) production of introduction, reintroduction and hybridization of animals without permission of the authorized body;

12) destruction or damage of the posts, floating identifying marks and name plates, indicating the boundaries of wintering pits, spawning, fisheries plots and places, prohibited for fishing.

13) operation of water intake and discharge facilities without fish protection devices, as well as not meeting the established requirements.

4. Restrictions and prohibitions shall be introduced in recognition of geographic, climatic features of areas (areas of distribution) of animal habitats for the purposes of preservation of objects of animal world.

Footnote. Article 14 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 10.01.2011 № 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.07.2011 № 461-IV (shall be enforced from the date of its official publication); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29. 03. 2016 № 479-V (shall be enforced upon expiry of twenty-one calendar days after its first official publication); dated 15. 06. 2017 № 73 -VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 11-VII of 23.02.2021 (shall come into force ten calendar days after the date of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

## **Article 15. Protection of rare and endangered species of animals**

1. Rare and endangered species of animals shall be entered into Red book of the Republic of Kazakhstan in accordance with the Law of the Republic of Kazakhstan “On specially protected natural territories”.

2. Protection of rare and endangered species of animals shall be carried out by the state. Individuals and legal entities shall be obliged to take measures on protection of rare and endangered species of animals.

3. The seizure of rare and endangered animal species, their parts or derivatives shall be allowed in exceptional cases by the decision of the Government of the Republic of Kazakhstan on biological justification grounds for:

1) breeding in specially created conditions for scientific, reproductive, commercial purposes, as well as for subsequent release into the habitat;

2) is excluded by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication );

3) scientific researches;

4) selection;

5) development of national types of hunting.

4. Shall not be allowed the actions that may lead to:

1) death of rare and endangered species of animals;

2) reduction the numbers or habitat destruction of rare and endangered species of animals, except for the cases, specified in paragraph 3 of this Article.

5. Management, transportation, sale, offering for sale and purchase of rare and endangered species of animals, their parts and derivatives shall be carried out in the manner established by the legislation of the Republic of Kazakhstan.

Footnote. Article 15 is in the wording of the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.11.2022 № 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

## **Article 16. Protection of animals when using pesticides, toxic chemicals, mineral fertilizers and other preparations**

Footnote. The title of Article 16 as amended by the Law of the Republic of Kazakhstan dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Application, storage and transportation of pesticides, toxic chemicals, mineral fertilizers and other preparations must ensure the safety of the animal world and its habitat.

In order to protect the animal world, maximum permissible norms for the use of pesticides , toxic chemicals, mineral fertilizers and other preparations are established.

Footnote. Article 16 as amended by the Law of the Republic of Kazakhstan dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

## **Article 17. Measures on preservation of habitat, breeding conditions, migration paths and places of concentration of animals upon planning and carrying out of economic and other activity**

1. Upon placement, planning and construction of inhabited localities, enterprises, structures and other objects, carrying out of industrial processes and operation of transport vehicles, improvement of current and introduction of new technological processes, introduction into economic turnover of unused, coastal, swamped, occupied territories by bushes, reclamation of land, use of forest resources and water objects, conducting of geological exploration works, extraction of commercial minerals, determination of places of grazing and driving of livestock animals, development of tourist routes and organization of places of public entertainment shall be provided and carried out the measures on preservation of habitat and breeding conditions of objects of animal world, migration paths and places of concentration of animals, as well as provided inviolability of plots, presenting the special value as habitat of wild animals.

2. Upon operation, placement, planning and construction of rail, highway, pipeline and other transport routes, power lines and communication lines, dams and other water facilities shall be developed and carried out the measures to ensure the preservation of the habitat, breeding conditions, migration paths and places of concentration of animals.

3. The subjects, carrying out economic and other activity, specified in paragraphs 1 and 2 of this Article shall be obliged to:

1) provide the means for carrying out of measures on ensuring compliance with the requirements of subparagraphs 2) and 5) of paragraph 2 of Article 12 of this Law by agreement with the authorized body upon development of technical and economic assessment and design and estimate documentation;

2) compensate for the damage being caused and caused to fish resources and other aquatic animals, including the inevitable, in the amount determined in accordance with the methodology approved by the authorized body, by taking measures providing for the release of fish stock into fishery reservoirs, restoration of spawning grounds, fishery reclamation of water bodies, construction of infrastructure of a reproduction complex or reconstruction of the existing complexes for reproduction of fish resources and other aquatic animals, financing of scientific research, as well as the creation of artificial spawning grounds in the floodplain of rivers and the marine environment (reefs), on the basis of an agreement concluded with the department of the authorized body.

**Footnote. Article 17 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 25.01.2012 № 548-IV (the order of enforcement see Article 2); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 № 268-VI ( shall be enforced upon expiry of ten calendar days after the day of its first official publication ).**

**Article 18. Protection of animal world in the specially protected natural territories**

Protection of animal world in the specially protected natural territories shall be carried out in accordance with the legislation of the Republic of Kazakhstan in the field of specially protected natural territories.

Footnote. Article 18 is in the wording of the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2);

#### **Article 18-1. Fisheries waters and (or) plots of extrinsic value**

Footnote. Article 18-1 is excluded by the Law of the Republic of Kazakhstan dated 15. 06 . 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 19. Artificial breeding of species of animals**

Footnote. The title as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

1. Artificial breeding of the species of animals shall be carried out for the purposes of:

- 1) preservation and increasing the numbers of species of animals, as well as valuable, rare and endangered;
- 2) scientific researches;
- 3) introduction, reintroduction and hybridization of species of animals;
- 4) use of species of animals in the entrepreneurial activity.

2. Artificial breeding of valuable, rare and endangered species of animals for the purposes of preservation and increasing of their numbers with subsequent release to the habitat shall be carried out at the expense of budget funds and other sources, not prohibited by the legislation of the Republic of Kazakhstan.

2-1. For the purpose of artificial breeding of sturgeon species of fish, state enterprises of the reproductive complex that carry out state order can use fish obtained as by-catch for the production of drugs for hormonal stimulation of fish spawning, and also for the production of feed for their keeping.

2-2. Natural and/or artificial ponds, rice ponds and other artificially created bodies of water may be used for the artificial cultivation of fish.

2-3. State enterprises of the reproduction complex, fulfilling the state order, have the right to conclude contracts with entities of the fisheries industry for the provision of services for fishing for reproduction purposes.

3. Animals, the species of which are included to the annex I of the Convention on international trade by the endangered species of wild fauna and flora may be the subject of the trade in the cases of their breeding in captivity and (or) semi-free conditions.

3-1. The animals, the species of which are included in the annex I of the Convention on international trade by the endangered species of wild fauna and flora, bred in captivity and (or ) semi-free conditions may be the subject of the trade only in the cases of their registration in the administrative body.

3-2. When notifying the administrative body for the Convention on International Trade in Endangered Species of Wild Fauna and Flora about the commencement of activity for artificial breeding of animals listed in Annexes I and II of the Convention, shall be indicated:

1) number and date of the permit of the administrative authority for importation - in case of import of animals;

2) the number and date of the certificate of origin of the yield, or a purchase and sale contract with the number and date of registration in the administrative body - in the case of domestic origin of animals shall be attached.

4. Artificial breeding of animal species including in lake-commodity fish farms, garden fish farms, pond fish farms and fish farms with a closed cycle of water supply, shall be carried out for business purposes from the funds of natural and legal persons and other sources, not prohibited by the legislation of the Republic of Kazakhstan.

5. Unified system of marking of caviar of sturgeon species of fishes for the trade in the internal and external markets shall be established in the Republic of Kazakhstan.

Sale of unmarked caviar of sturgeon species of fishes shall not be allowed.

6. Export of sturgeon species of fish taken from natural habitat and their fertilized caviar shall be carried out by the decision of the Government of the Republic of Kazakhstan outside the Republic of Kazakhstan in a live form.

**Footnote. Article 19 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 25.01.2012 № 548-IV ( shall be enforced upon expiry of ten calendar days after its first official publication); dated 29. 03. 2016 № 479-V (shall be enforced upon expiry of twenty-one calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 399-VI of 02.01.2021 (shall go into effect ten calendar days after the date of its first official publication); dated 06.04.2024 № 71-VIII ( shall be enforced upon expiry of sixty calendar days after the date of its first official publication).**

## **Article 20. Introduction, reintroduction and hybridization of species of animals, import into the Republic of Kazakhstan and export from the Republic of Kazakhstan of animals**

Introduction, reintroduction and hybridization of animal species, import into the Republic of Kazakhstan and export from the Republic of Kazakhstan of animals shall be carried out in accordance with the Environmental Code of the Republic of Kazakhstan.

Footnote. Article 20 is in wording of the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 20-1. Acclimatization of fish resources and other water animals**

Footnote. Article 20-1 is excluded by the Law of the Republic of Kazakhstan dated 16.05.2014 № 203-V (shall be enforced upon expiry of six months after its first official publication).

#### **Article 21. Rendering of assistance to the animals in the cases of mass diseases, the threat of their death upon natural disasters and due to other reasons**

1. Provision of assistance to animals in cases of mass diseases, the threat of their death during natural disasters and due to other reasons in the assigned hunting grounds and fishery water bodies and (or) areas shall be carried out by subjects of hunting and fisheries and local executive bodies of the Republic of Kazakhstan, and in other grounds and water bodies - by local executive bodies of the Republic of Kazakhstan. Depending on the significance of the territory and the incident, assistance in the specified cases may be provided by the Government of the Republic of Kazakhstan and international organizations.

1-1. Animal care in cases of oil spills at sea, inland water bodies and in the protection zone shall be based on a cumulative environmental benefit analysis.

2. Acquisition of animals in the disaster areas, as well as animals, threatened with death, except for the catching of fishes in the fish-kill dangerous reservoirs and (or) plots shall not be allowed.

3. In the event of a threat of a freeze that inevitably leads to the death of fish and the impossibility of eliminating such a threat by carrying out the current fishery reclamation of water bodies or their parts, the authorized body or agency with its territorial subdivisions may, on the basis of scientific recommendations, take a decision on meliorative fishing.

4. When detecting fish kills, all measures should be taken to save fish resources and other aquatic animals, including reclamation fishing.

Footnote. Article 21 as amended by the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 401-VI of 02.01.2021 (shall take effect on 01.07.2021); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

#### **Article 22. Scientific researches in the field of protection, reproduction and use of animal world**

1. Scientific researches in the field of protection, reproduction and use of animal world shall be carried out for the purposes of:

- 1) assessment of the state of the animal world;
- 2) regular study of the state of rare and endangered species of animals;
- 3) permanent study of the epizootic situation;
- 4) participation in the international scientific and research programs;
- 5) substantiation of norms and standards and development of scientific recommendations in the field of protection, reproduction and use of animal world;
- 6) substantiation of measures on preservation of biological diversity, protection, reproduction and use of animal world;
- 7) development of legal and economic mechanisms of protection, reproduction and use of objects of animal world;
- 8) the state accounting and cadaster of animal world, interfarm hunting management and certification of fisheries waters and (or) plots.

2. Scientific researches in the field of protection, reproduction and use of the animal world shall be carried out annually at the expense of budgetary funds and other sources not prohibited by the legislation of the Republic of Kazakhstan.

3. Annual assessment of the state of the animal world in the assigned hunting grounds shall be carried out at the expense of the individuals and legal entities to whom they are assigned.

Assessment of the state of fish resources and other aquatic animals in the assigned fishery waters and (or) areas of local importance shall be carried out once every three years at the expense of the individuals and legal entities to whom they are assigned.

4. Use of animal world in the scientific and research purposes shall be carried out in any time and with permitted weapons of acquisition on the basis of permissions for the use of animal world, issued by the authorized body or local executive body.

The quota for withdrawal of fauna species for scientific research shall be established by republican associations of public organizations of hunters and hunting entities, as well as public associations of fishermen and fishery entities within the limit for the taking of game species and the limit for the taking of fish and other aquatic animals approved by the competent authority.

5. Scientific research in the field of protection, reproduction and use of animal world shall be carried out by legal entities accredited as subjects of scientific and (or) scientific and technical activities, in the manner prescribed by the legislation of the Republic of Kazakhstan.

**Footnote. Article 22 as amended by the Laws of the republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 34-VII of 30.04.2021 (shall come**

into force ten calendar days after the date of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

#### **Article 22-1. Ichthyological observations**

1. Ichthyological observations shall be conducted by territorial units of the department of the authorized body.

2. The main areas of ichthyological observations shall be: control over the state of fishery water bodies; conducting control fishing; collection of biological materials on the status of ichthyofauna; study of migration routes, spawning periods and fishing load on water bodies; definition of the by-catch of whitebait, spawning grounds and wintering pits; development of proposals for regulating the regime of fishing, including the transfer of the deadline for the ban during the spawning period, depending on hydrometeorological conditions, fishing gear, organization of fish-reclamation works and fishery reclamation of water bodies; accounting of freezing water reservoirs and organization of measures for prevention and elimination of freezes; inspection of water intake, waste disposal facilities and identification of damage causing and caused on fish resources and other aquatic animals in the absence of fish protective devices.

3. The data of ichthyological observations shall be used to prepare recommendations for organization of protection, reproduction and sustainable use of fish resources and other aquatic animals.

**Footnote. Chapter 3 is supplemented by Article 22-1 in accordance with the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).**

#### **Chapter 4. Use of animal world Article 23. Use of animal world**

1. Use of animal world shall be carried out in the procedure of general and special use.

2. The objects of animal world shall be provided for use in accordance with requirements of the legislation of the Republic of Kazakhstan.

3. The special use of animal world includes the use of objects of animal world and products of their life activity with withdrawal from the environment, with the exception of capturing for the purpose of reintroduction.

4. Use of objects of animal world, as well as their useful properties without seizure from the habitat shall be referred to the general use of animal world.

5. Use of animal world in the territory of the state forest fund and specially protected natural territories shall be carried out in recognition of requirements of forest legislation of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan in the field of specially protected natural territories.

5-1. The use of animals that are bred and kept in captivity and (or) semi-free conditions in farming hunting facilities shall be determined by their owners.

6. Use of objects of animal world as biological weapons shall be prohibited.

**Footnote.** Article 23 as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 24. Types of the use of animal world**

In the territory of the Republic of Kazakhstan shall be allowed the following types of the use of animal world:

- 1) hunting;
- 2) fishing, including seizure of invertebrate animals and marine mammals;
- 3) use of animals, not referring to the objects of hunting and fishing for the economic purposes;
- 4) use of animals for scientific, cultural, educational, aesthetic purposes, as well as for prevention of epizootics;
- 5) use of useful properties and products of vital activity of animals;
- 6) use of species of animals in the reproductive purposes.

**Footnote.** Article 24 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 25.01.2012 № 548-IV ( shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 25. The terms of the use of animal world**

1. The terms of the use of animal world shall not be established for the general use.
2. The terms shall be established for the special use of animal world:
  - 1) upon hunting farm management – from ten to forty nine years;
  - 2) upon fishing farm management – from five to forty nine years, in the fish-kill dangerous reservoirs and (or) plots – from one to five years.

The specified terms shall be established depending on the period of fixation of hunting grounds, fishery and freezing water bodies and (or) areas determined by the competitive commission, which includes representatives of the authorized body or department with its territorial subdivisions, local executive bodies of the region, scientific organizations and republican associations of public societies of hunters and subjects of hunting farm, as well as public societies of fishermen and fishery entities, on the basis of inter-farm hunting and certification of fishery water reservoirs and (or) plots, qualification requirements for the

participants of competition for fixing hunting grounds and fishery reservoirs and (or) plots, development plans for hunting and fishing entities.

The terms of the use of animal world for the types of the use of animal world, not listed in the first part of this paragraph shall consist not more than one year.

Footnote. Article 25 is in the wording of the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (the order of enforcement see Article 2); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 26. Provision of the animal world for the use**

1. Animal world shall be provided for the special use on the basis of permissions for the use of animal world, issued in the manner established by the legislation of the Republic of Kazakhstan.

1-1. Is excluded by the Law of the Republic of Kazakhstan dated 15.07.2011 № 461-IV ( shall be enforced from the date of its official publication).

1-2. Issuance of permissions shall be denied in the cases:

1) provision of details, specified in the application, not in full extent;

2) unreliability of details, specified in the application;

3). Excluded by Law № 401-VI of the RK of 02.01.2021 (shall be enacted on 01.07.2021)

1-3. The certificate of the origin of catch shall be issued by territorial subdivisions of the authorized body's authority at the place where the fish and other aquatic animals are caught within two working days from the moment the application is received, when the applicant submits permission to use animal world.

Certificate on the origin of catching shall be issued for the fishes and other water animals, bred in the artificial conditions upon provision of supporting documents on artificial breeding.

A certificate of origin may be issued within the allocated quota for the taking of fish resources and other aquatic animals, documents confirming the actual catch within the framework of ameliorative fishing, as well as the design capacity of the artificial breeding organisation.

2. General use of animal world, as well as amateur (sports) fishing in the reserve fund of fisheries waters and (or) plots with seizure up to five kilogram for one fisherman for departure shall be carried out without any permissions.

Footnote. Article 26 as amended by the Laws of the Republic of Kazakhstan dated 09.01.2007 № 213 (the order of enforcement see Article 2); dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 15.07.2011 № 461-IV (shall be enforced from the date of its official publication); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 № 36-V (shall be

enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 34-VII of 30.04.2021 (shall go into effect ten calendar days after the date of its first official publication).

## **Article 27. Rights and obligations of the users of animal world**

1. Users of animal world upon special use shall have a right to:
  - 1) carry out only those types of the use of animal world, which are permitted them;
  - 2) use of the objects of animal world in accordance with conditions of their provision;
  - 3) ownership for extracted objects of animal world, as well as hunting and fishing trophies and upon that received products, as well as for their transportation and sale;
  - 4) Is excluded by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);
  - 5) conclude agreements with individuals and legal entities for the use of animal world;
  - 6) construction of temporary structures for the need of hunting and fish farms in accordance with established easement;
  - 6-1) provide the rangers with service weapons in accordance with the norms and rules established by the legislation of the Republic of Kazakhstan;
  - 7) carry out breeding and conduct amateur (sport) hunting on the territory reserved for breeding (in captivity and (or) semi-free conditions), and also to use independently reproduced animals;
  - 8) transfer of fishery water bodies and (or) their sections assigned to them for fishing into fishery water bodies and (or) their sections for fish farming (aquaculture);
  - 9) organize cage fish farming on fishery water bodies and (or) sections assigned to them for fishing, if there is biological justification.
2. Users of animal world upon special use shall be obliged to:
  - 1) comply with the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world;
  - 2) make payments in a timely manner for the use of animal world in the manner established by the tax legislation of the Republic of Kazakhstan;
  - 3) is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII ( shall be enforced upon expiry of sixty calendar days after the date of its first official publication).
  - 4) is excluded by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI ( shall be enforced upon expiry of ten calendar days after its first official publication);
  - 5) prevent deterioration of the animal habitat by complying with environmental requirements stipulated by the Environmental Code of the Republic of Kazakhstan, except for cases of pollution from the insurmountable consequences of natural disasters;

6) use of animal world by the methods, safe for population and the environment, preventing violations of the integrity of natural communities and abusive handling of the animal;

7) conduct an annual accounting of the number of used objects of the animal world for hunting subjects and submit reports in accordance with the procedure established by the legislation of the Republic of Kazakhstan;

7-1) submit administrative data to the authorized body according to the forms approved in agreement with the authorized body in the field of state statistics, intended for collecting administrative data;

8) ensure the protection and reproduction of wildlife, including rare and endangered species, and prevent a decrease in their numbers beyond the limits of their natural fluctuations ;

9) carry out the necessary measures to ensure the reproduction of wildlife in accordance with the development plans of hunting and fishing entities;

10) not impede the implementation of verifications for the purposes of the state control and supervision of compliance with the requirements of the legislation of the Republic of Kazakhstan on protection, reproduction and use of animal world, conducted in accordance with Article 49 of this Law;

11) provide an easement for carrying out of:

control catch - to territorial subdivision of the department of the authorized body;

scientific and research fishing – to the individuals and legal entities;

amateur (sports) fishing – to the individuals;

amateur (sports) hunting – to the individuals;

12) carry out current fishery melioration in the assigned fishery water body and (or) area based on scientific recommendations;

13) set the name plates;

14) keep a log of fishing and other aquatic animals catching (fishing logs) at each fishery pond and / or section, ship (fishing and transport), reception center, brigade or link, and present it at the request of officials of the department of the authorized body and its territorial divisions;

15) in accordance with the procedure and within the timeframe established by the authorized body, send to territorial department of the agency information on agreements concluded with individuals and legal entities for the use of wildlife, including their dissolution;

16) present the details on catching of fish resources and other water animals, fishing condition in the reservoir, issued permits according to the forms, approved by the authorized body in the manner and terms, established by the authorized body;

17) obtain the environmental permission in accordance with the Environmental Code of the Republic of Kazakhstan upon implementation of environmental emissions;

18) provide the rangers with means of transport, communication, special clothing with signs of distinction, a badge of the ranger, a certificate of the ranger;

19) comply with the requirements of fire safety;

20) issue permits for amateur (sport) hunting and amateur (sport) fishing to individuals in paper or electronic form upon their oral, written or electronic application;

21) approve the internal regulation of hunting farm;

22) notify the department of the authorized body about the creation of zoological collection.

23) observe the fishing effort standards;

24) stock the assigned fishery water body and (or) area with fish in accordance with the development plans of fishery entities based on the recommendations of a scientific organization;

25) is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

Submission of notifications shall be carried out by applicants to the department of the authorized body not less than ten working days prior to the commencement of activities or actions in the manner prescribed by the Law of the Republic of Kazakhstan "On Permits and Notifications".

3. Users of animal world upon general use shall have a right to use the objects of animal world for meeting of their cultural and aesthetic needs.

4. Users of animal world upon general use shall be obliged to:

1) comply with the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world;

2) prevent deterioration of the animal habitat by observing environmental requirements stipulated by the Environmental Code of the Republic of Kazakhstan, except in cases of pollution from the insurmountable consequences of natural disasters;

2-1) comply with the requirements of fire safety;

3) execute other requirements on protection, reproduction and use of animal world, provided by the legislative acts of the Republic of Kazakhstan.

5. Unlawful intervention in activity of the users of animal world shall be prohibited on the part of the state bodies, civil servants and organizations.

Footnote. Article 27 as amended by the Laws of the Republic of Kazakhstan dated 31.01.2006 № 125; dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 03.12.2011 № 505-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 399-VI of 02.01.2021 (shall take effect ten calendar days after the date of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

#### **Article 28. Fee for the use of animal world**

1. General use of animal world shall be carried out for free.
2. Special use of animal world shall be carried out on a paid basis in accordance with the tax legislation of the Republic of Kazakhstan.

#### **Article 29. Limits and quotas for the use of animal world**

1. The limit of seizure of objects of animal world - maximum allowable volume of seizure of objects of animal world, upon that their natural reproduction and numbers are preserved.

The limit for the withdrawal of objects of the animal world shall be determined in accordance with the biological justification prepared on the basis of population accounting materials, monitoring of objects of the animal world and their habitat, scientific research and shall be approved by the authorized body.

The limit of seizure of objects of animal world, migrating through the several states or inhabiting in the reservoirs of interstate significance shall be determined on the basis of international agreements, and in its existence – in the manner established by the legislation of the Republic of Kazakhstan.

The catch limit for fish and other aquatic animals shall be established for the period from 1 July of the current year to 1 July of the following year.

The limit for the taking of game species shall be fixed for the period from 15 February of the current year until 15 February of the following year.

2. The quota for the seizure of animal world objects shall be a part of the limit of the seizure of animal world objects established by the republican associations of public societies of hunters and hunting entities, as well as public societies of fishermen and fishery entities for the users of animal world.

The volume of fish seized by reclamation fishing, carried out as anti-theft measures or to replace ichthyofauna in a lake-commercial fish farm, is not included in the total catch limit.

**Footnote.** Article 29 is in the wording of the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 241-VI as of 02.04.2019 (shall be enforced ten calendar days after its first official publication); № 34-VII of 30.04.2021 (shall be enacted ten calendar days

after the date of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

### **Article 30. The grounds of termination of the right of use of animal world**

The right of use of animal world shall be terminated in the cases:

1) is excluded by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

2) expiration of a term of the use of animal world;

3) termination of activity of the user of animal world;

4) systematic violation of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife in the conduct of hunting, as well as the terms of the contract for the conduct of hunting or fishing;

4-1) systematic gross violation of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife in the conduct of fishing.

Gross violations of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife include violations that result in damage to fish resources in an amount exceeding ten times the monthly calculation indicator established by the law on the republican budget and effective as of January 1 of the relevant financial year;

5) is excluded by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

6) deprivation of permissions for the special use of animal world;

7) Is excluded by the Law of the Republic of Kazakhstan dated 10.01.2011 № 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Footnote. Article 30 as amended by the laws of the Republic of Kazakhstan dated 10.01.2011 № 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

### **Article 31. Norms and standards in the field of protection, reproduction and use of animal world**

1. Norms and standards in the field of protection, reproduction and use of animal world shall determine the maximum permissible quantitative and qualitative value of indicators necessary to ensure conservation of animal world, habitat and its sustainable use.

2. Norms and standards in the field of protection, reproduction and use of animal world shall be established on the basis of scientific research and shall be mandatory in planning and conducting economic and other activities, carrying out measures in the field of protection, reproduction and use of animal world.

Footnote. Article 31 is in wording of the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Chapter 5. Hunting Article 32. Concept and types of hunting**

1. Hunting – a type of special use of animal world, upon that the seizure of species of animals, being the object of hunting from the habitat is carried out.

Search, investigation and persecution for the purposes of acquisition, attempt of acquisition of objects of animal world, being of persons in the hunting lands with uncovered hunting weapons or extracted products of hunting, with hunting dog, let off the leash, with hunting birds of prey shall be equated with the hunting.

2. Hunting shall be subdivided into the following types:

1) commercial hunting;

2) amateur (sports) hunting, as well as national hunting.

3. Commercial hunting – acquisition of species of animals, being the object of hunting for the purposes of entrepreneurial activity.

4. Amateur (sports) hunting – acquisition of species of animals, being the object of hunting for the purposes of meeting of sports, aesthetic needs and for personal consumption of extracted products.

National hunting is an unarmed extraction of animal species, which are an object of amateur (sports) hunting, using hunting predatory birds and dogs of Kazakh breeds.

5. Hunting shall be performed in the fixed hunting lands, unless otherwise established by the authorized body.

Footnote. Article 32 as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).

## **Article 33. The right to hunt**

1. The right to hunt shall have individuals upon condition of:

1) reaching the age of twenty-one years old, if hunting is carried out using firearms;

2) attainment the age of fourteen, if the hunting is carried out with the use of other types of weapons of acquisition, hunting dogs and hunting birds of prey, permitted by hunting regulations;

3) availability of a hunter's certificate;

4) obtaining permits for the use of animal world or vouchers.

2. The right to hunt for foreigners on the territory of the Republic of Kazakhstan shall arise on the basis of an agreement for hunting with a hunting entity and obtaining permission for the use of animal world, as well as permission of the internal affairs bodies to import

firearms and cartridges to them into the territory of the Republic of Kazakhstan and export them from Kazakhstan.

Footnote. Article 33 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); of June 15, 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 11.07.2022 № 136-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication).

**Article 33-1. Republican associations of public associations of hunters and subjects of hunting farm, as well as public associations of fishermen and subjects of fish farm**

1. Republican associations of public associations of hunters and subjects of hunting farm, as well as public associations of fishermen and subjects of fish farm shall be created for the protection of interests of individuals and legal entities, carrying out an activity in the field of protection, reproduction and sue of animal world.

2. Republican associations of public associations of hunters and subjects of hunting farm, as well as public associations of fishermen and subjects of fish farm shall be noncommercial organization. Republican associations of public associations of hunters and subjects of hunting farm, as well as public associations of fishermen and subjects of fish farm shall have a right to create their structural subdivisions (branches and representatives).

Republican associations of public associations of hunters and subjects of hunting farm, as well as public associations of fishermen and subjects of fish farm shall subject to accreditation in the manner approved by the authorized body. Accreditation of republican associations of public associations of hunters and subjects of hunting farm, as well as public associations of fishermen and subjects of fish farm shall be performed by the authorized body on the basis of their application and at the expense of their own funds.

An activity of republican associations of public associations of hunters and subjects of hunting farm, as well as public associations of fishermen and subjects of fish farm shall be regulated by the Laws of the Republic of Kazakhstan and charter.

3. Republican associations of public associations of hunters and subjects of hunting farm shall carry out the following types of activity:

1) coordination of activity public associations of hunters and subjects of hunting farm, breeding of hunting dogs, game breeding;

2) representation of interests of public associations of hunters and subjects of hunting farm in the state bodies and organizations, as well as in the non-state and international organizations;

3) participation in preparation of regulatory legal acts and other documents on issues of protection, reproduction and use of animal world;

4) participation in the monitoring and accounting of objects of animal world;

5) allocate quotas of seizure of objects of animal world, except for the fish resources and other water animals;

6) maintain accounting and registration of hunting birds of prey, used for hunting;

7) issuance of hunter's certificates in electronic form, submission to the territorial subdivisions of the department of the authorized body of reporting on the issued hunter's certificates in the prescribed form;

8) is excluded by Law of the Republic of Kazakhstan № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication);

9) participation in keeping records of the number of species of animals that are objects of hunting at the assigned hunting grounds, analysis and generalization of data provided by the subjects of hunting farm, and making recommendations to the territorial divisions of the department of the authorized body to prepare a limit for withdrawal of objects of the animal world;

10) organization of reproduction of animal world;

11) participation in the competition commission on fixation of hunting lands;

12) Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 № 36-V( shall be enforced upon expiry of ten calendar days after its first official publication);

13) organization of development of national types of hunting with the use of hunting birds of prey and hunting dogs; 14) other activity, provided by the Charter and not prohibited by the legislation of the Republic of Kazakhstan.

The document, issued by the republican association of public associations of hunters and subjects of hunting farm on passing of hunting minimum shall be the basis for issuance of certificate of hunter.

4. Republican association of public associations of fishermen and subjects of fish farm shall carry out the following types of activity:

1) coordination of activity of public associations of fishermen and subjects of fish farm on development of fish farm, aquaculture, reproduction of species of animals, amateur (sports) fishing;

2) presentation of interests of public associations of fishermen and subjects of fish farm in the state bodies and organizations, as well as in the non-state and international;

3) participation in preparation of regulatory legal acts and other documents on issues of protection, reproduction and use of animal world;

4) participation in the monitoring and accounting of objects of animal world;

5) allocate quotas of seizure of fish resources and other water animals;

6) participation in the competition commission on fixation of fisheries waters and (or) plots;

7) participation in distribution of subsidies, allocated for the development of fish farm;

8) participation within the context of the state social order in the organization of assistance to the fish resources and other water animals in the cases of mass disease, threat of their death, threat of fish-kill and due to other reasons, as well as in saving of young fishes;

9) Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);

10) other activity, provided by the Charter and not prohibited by the legislation of the Republic of Kazakhstan.

Footnote. Chapter 5 is supplemented by Article 33-1 in accordance with the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (the order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 14.07.2022 № 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

#### **Chapter 5-1. Preservation and reproduction of Kazakh breeds of dogs**

Footnote. The law is supplemented by Chapter 5-1 in accordance with the Law of the Republic of Kazakhstan dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).

#### **Article 33-2. The National center of Kazakh breeds of dogs**

1. The National center of Kazakh breeds of dogs (hereinafter- the National center) is a structural subdivision of a specialized organization determined by the authorized body to carry out activities for the conservation and reproduction of Kazakh breeds of dogs.

2. The tasks of the National Center shall be:

- 1) carrying out activities for the preservation and reproduction of Kazakh breeds of dogs;
- 2) training of experts and preparation of specialists in working with Kazakh breeds of dogs, including cynological activities;
- 3) breeding and raising of purebred dogs of Kazakh breeds with the issuance of a certificate of origin;
- 4) maintenance of the Unified pedigree book in accordance with the procedure determined by the authorized body;
- 5) development of standards for Kazakh breeds of dogs together with individuals and legal entities engaged in cynological activities;
- 6) organization and conduct of tests, exhibitions, reviews, competitions of various ranks of dogs of Kazakh breeds;
- 7) carrying out other activities not prohibited by the legislation of the Republic of Kazakhstan.

### **Article 33-3. Features of state regulation in the field of preservation and reproduction of Kazakh breeds of dogs**

State regulation in the field of preservation and reproduction of Kazakh breeds of dogs shall be carried out through:

1) conducting scientific researches of a fundamental and applied nature in the field of preservation and reproduction of Kazakh breeds of dogs, selection for the preservation, development, and use of Kazakh breeds of dogs in accordance with the legislation of the Republic of Kazakhstan;

2) testing and approbation of breeding achievements in the field of preservation and reproduction of Kazakh breeds of dogs in accordance with the legislation of the Republic of Kazakhstan;

3) keeping records of dogs of Kazakh breeds in accordance with the Law of the Republic of Kazakhstan "On Responsible Treatment of Animals".

### **Article 33-4. Financing activities in the field of preservation and reproduction of Kazakh breeds of dogs**

1. Financing of activities in the field of preservation and reproduction of Kazakh breeds of dog, including the National center shall be carried out through state support at the expense of budgetary funds, as well as other sources not prohibited by the legislation of the Republic of Kazakhstan.

2. The main form of state support is the financing of activities aimed at:

- 1) preservation and reproduction of Kazakh breeds of dogs;
- 2) protection of purebred Kazakh breeds of dogs.

### **Article 33-5. Scientific research in the field of preservation and reproduction of Kazakh breeds of dogs**

Scientific research in the field of preservation and reproduction of Kazakh breeds of dogs shall be carried out by scientific organizations of the Republic of Kazakhstan.

Scientific organizations, together with the authorized body, the National center, as well as individuals and legal entities engaged in cynological activities shall carry out the development of state scientific and technical programs in the field of preservation and reproduction of Kazakh breeds of dogs.

## **Chapter 6. Fishing Article 34. Types of fishing**

1. Fishing shall be subdivided into the following types:

- 1) commercial fishing;
- 2) amateur (sports) fishing;
- 3) scientific and research fishing;
- 4) test fishing;
- 5) ameliorative fishing;
- 6) fishing for the reproductive purposes;

7) is excluded by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

2. Commercial fishery is the complex process of removing fish and other aquatic animals from their habitat with fishing gear that allows large numbers of fish and other aquatic animals to be caught simultaneously.

Commercial fishing shall be carried out for the purposes of entrepreneurial activity.

Commercial fishing may be carried out by coastal and offshore fishing.

Coastal fishing – catching of fish resources and other water animals, carrying out in the fixed fisheries waters and (or) plots.

Offshore fishing is fishing of fish and other aquatic animals in the open part of bodies of water (seas, lakes) outside the boundaries of assigned areas, as well as in the fishing zone and common water area.

Commercial fishing shall not be allowed in the zones of recreational fishing, established by the local executive bodies.

Fishing for shared aquatic biological resources shall take place in the territorial waters, the fishing zone and the common water area.

3. Amateur (sports) fishing – catching of fish resources and other water animals for the purposes of meeting of sports and aesthetic needs, conducting of sporting events, as well as for the personal consumption of caught products, carrying out by the fishing weapons, allowing perform only the piece fishing (non-commercial fishing weapons).

Amateur (sports) fishing may be carried out with the subsequent release of the caught fish to the natural habitat in a living form.

4. Scientific - research fishing is catching of fish resources and other aquatic animals for the purpose of carrying out scientific research in the field of protection, reproduction and use of animal world.

Research fisheries outside the limit for the taking of fish and other aquatic animals shall be permitted in bodies of water where no previous wildlife assessment has been carried out.

5. Test fishing – a catching of fish resources and other water animals for the purposes of control of the state of fish fauna, efficiency determination of reproduction of fish resources and other water animals, crop capacity of tiny fishes, fish capacity of reservoirs.

6. Ameliorative fishing – a catching of fish resources and other water animals, including total catching, catching of coarse species of fishes, catching in the fish-kill dangerous reservoirs and (or) plots, directed to increase of fish capacity of reservoirs, preservation of fish resources and other water animals and improvement conditions of their habitat and breeding.

Total catch is the removal of the entire commercial stock of fish resources and other aquatic animals in a water body or the removal of the commercial stock of individual species

or ecological groups of fish. Total catch can be used as melioration catch and for scientific-research purposes, as well as for the purpose of replacing ichthyofauna based on scientific recommendations in the management of lake-commercial fish farming.

7. Fishing for the reproductive purposes – a catching of fish resources and other water animals for the purposes of their reproduction.

8. Excluded by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

9. The procedure for implementation of fishing shall be determined by the rules of fishing.

Footnote. Article 34 is in the wording of the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 11-VII of 23.02.2021 (see Article 2 for the enactment procedure); № 34-VII of 30.04.2021 (shall take effect ten calendar days after the date of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

### **Article 35. The right of fishing**

1. The right of commercial fishing shall have the individuals and legal entities in the existence of:

- 1) permission for the use of animal world;
- 2) contracts with the territorial unit of the authority for the management of fisheries.

2. The right to scientific- research and ameliorative fishing, as well as catching for reproductive purposes, shall have the individuals and legal entities in the existence of a permit for the use of animal world, and for amateur (sport) fishing - permits for the use of animal world or vouchers.

3. Control fishing shall be carried out by the territorial subdivision of the department of the authorized body without permission for the use of animal world in the manner determined by the fishing rules.

Footnote. Article 35 is in the wording of the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 399-VI of 02.01.2021 (shall come into force ten calendar days after the date of its first official publication).

## **Article 36. Peculiarities of regulation of fishery activities in artificially created reservoirs and fish farms with a closed cycle of water supply**

Individuals and legal entities that have raised fish and other aquatic animals in the artificial water reservoirs or hatcheries with a closed cycle of water supply created by them shall be the owners of these fish and aquatic animals and dispose them in accordance with the legislation of the Republic of Kazakhstan.

**Footnote. Article 36 is in wording of the Law of the Republic of Kazakhstan as of June 15 , 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Chapter 7. Hunting and fish farm management Article 37. Granting and termination of the right to conduct hunting, fishing farms**

**Footnote. The title of Article 37 is in the wording of the Law of the Republic of Kazakhstan dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).**

1. The right to conduct hunting and fishing industry with the assignment of fishery water bodies and (or) areas shall be granted to citizens of the Republic of Kazakhstan and legal entities of the Republic of Kazakhstan on the basis of a decision of the local executive body of the region on the assignment of hunting grounds and a decision of the department of the authorized body and (or) territorial subdivision on the assignment of fishery water bodies and (or) areas, contracts for the conduct of hunting and fishing industry concluded between the territorial subdivision of the department and the user of the animal world.

2. The subjects of hunting and fishing farms shall have the right to withdraw objects of animal world within the quota from the moment they obtain a permit to use animal world, and other individuals and legal entities - after receiving a permit from the subjects of hunting and fishing farms or concluding an agreement with them for hunting.

2-1. Agreements for the management of hunting and fishing farms shall be terminated in the following cases:

- 1) voluntary abandonment of hunting and fishing facilities;
- 2) expiration of the validity of agreements for the management of hunting and fishing farms;
- 3) termination of the activities of entities engaged in hunting and fishing, except for the cases provided for in paragraph 4 of this Article;
- 4) systematic violation of the terms of agreements for the management of hunting and fishing farms;
- 5) systematic violation of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world;

6) seizure of land plots on which hunting grounds or fishery reservoirs and (or) plots are fixed, for state needs in accordance with the procedure established by the legislation of the Republic of Kazakhstan.

3. Is excluded by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

4. In the event of the death of an individual with whom a contract for the conduct of fishing has been concluded, the right to use a fishery reservoir and (or) plot shall be inherited in the manner prescribed by the civil legislation of the Republic of Kazakhstan.

Footnote. Article 37 is in the wording of the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 399-VI of 02.01.2021 (shall go into effect ten calendar days after the date of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

## **Article 38. Hunting lands**

1. Hunting lands – a territory and water area, being the habitat of the species of animals, presenting the object of hunting, where shall be carried out or may be carried out the hunting and hunting farm management.

The wetlands may be included into the composition of hunting lands upon condition of their correspondence to the features, specified in the first part of this paragraph.

2. The assignment of the territory and water area to the hunting lands, determination of their boundary, and establishment of relevant easements and categories of hunting farm shall be carried out on the basis of results of interfarm hunting management in the manner established by the legislation of the Republic of Kazakhstan.

3. Economic activity in the hunting lands, not related with the use of objects of animal world shall be carried out by the methods and means, ensuring preservation of objects of animal world and their habitat.

4. The right of possession, use and disposal of lands and water areas, on which are the hunting lands shall not grant a right for the use of the species of animals, being the objects of hunting.

5. The hunting shall be prohibited:

- 1) without certificate of the hunter;
- 2) with fire weapons without permission of bodies of internal affairs for the right of its storage and use;

3) with birds of prey and hunting dogs, including those temporarily imported for hunting purposes, without registering them in the manner established by the legislation of the Republic of Kazakhstan;

4) weapons of acquisition, the use of which is not provided by the rules of hunting;

5) for the reproductive purposes without agreement with the subject of hunting farm;

6) in the reserve fund of hunting lands, unless otherwise established by the authorized body;

7) on the lands of inhabited localities, as well as in the territories adjacent to them in the distance, not ensuring the safety of use of hunting fire weapons according to the rules of hunting;

8) on the land of industry, transport, communication, defence without permission of the authorized body;

9) on the animals, being in the distressed and helpless state (saving from a storm, flood, fire, crossing the waters, in the ice, exhausted from starvation, sitting on the air holes of waterfowl);

10) for amateur (sports) purposes using air, auto, motor vehicles, snowmobiles, small boats with the engine running, night vision devices, laser designators, lighting and sound devices;

11) in a state of alcoholic or drug intoxication or intoxication of other type;

12) on the lands, occupied by agricultural crops, up to the termination of the harvest;

13) on the specially protected natural territories, except for the territory, where in the manner established by the legislation of the Republic of Kazakhstan the separate types of natural resource use is allowed;

14) with the use of fire weapons for the beaver, otter, mink, muskrat;

15) with destruction and damaging of housing, except for the diggings the holes for the salvation of hunting dogs;

16) with destruction of the dam, built by the beaver;

17) with the use of air, missile weapons (except for the use of bows and crossbows for performance of scientific and research and preventive works related to immobilization and injection of objects of animal world);

18) with the use of ammunition with bullets of armor-piercing, incendiary or discontinuous action with decenter of gravity;

19) with the use in the slug guns of the home-made rifled auxiliary trunks (inserts);

20) with burning of wastelands, emergent vegetation, stubbing and destruction of other vegetation;

21) with the use of crossbows, clutching, grabbing, barnacles, cutting; device for the traps, trapping pits; through the establishment of large traps without identifying marks, tents,

over-weight, hooks, peaks, bird lime; smoking, driving on the glass ice, crust, deep snow and salt marshes viscous, sloping cane; the use of traps in the extraction of brown bear, ungulates and birds; hunting by boiler horseshoe;

22) using of nets; pouring out of burrows (with the exception of catching animals for their introduction, reintroduction, hybridization or captive keeping in coordination with the department of the authorized body);

23) with the use of explosive devices, toxic chemicals and other chemical preparations, with the exception of the use of toxic chemicals and other chemical preparations in the extermination of field rodents, as well as in cases of rabies epizootics and other animal diseases;

24) above the number of animals indicated in the permit for the use of animal world or voucher of animals' number;

25) other types of animals not indicated in the permit for the use of animal world or voucher;

26) without a permit of the subject of hunting farm;

27) excluded by Law of the RK № 34-VII of 30.04.2021 (shall be enacted ten calendar days after the date of its first official publication);

28) without decoy-duck or stuffed animal upon spring hunting to the drake duck;

29) unaccompanied of huntsman or the state inspector on protection, reproduction and use of animal world to the ungulate animals and brown bear;

30) for the amateur (sports) purposes to the marmot with the use of rifled weapon with caliber five full six tenths of millimeters under the ammunition side (circular) ignition;

31) in the zones of peace and reproductive plots.

Footnote. Article 38 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.06.2016 № 479-V (effective after twenty-one calendar days after the date of its first official publication); dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 34-VII of 30.04.2021 (shall come into force ten calendar days after the date of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

## **Article 39. Fisheries waters and (or) plots**

1. Fisheries waters and (or) plots – the waters or their parts (rivers and related canals, lakes, wetlands, water reservoirs, ponds and other inland waters, territorial waters), as well as sea waters, which shall be used or may be used for catching, breeding and rearing of fish resources and other water animals or have the value for reproduction of their stocks.

Fishing in the reservoirs, including to the specially protected natural territories with the status of legal entity shall be regulated by the Law of the Republic of Kazakhstan “On specially protected natural territories”.

2. Fisheries waters and (or) plots by significance shall be subdivided into international, republican and local.

3. Fisheries waters and (or) plots of international significance shall include the waters, located in the territory of the Republic of Kazakhstan and neighbouring states.

Fisheries waters and (or) plots of republican significance shall include the fisheries waters and (or) plots, located in the territory of two and more regions.

Fisheries waters and (or) plots of local significance shall include all the others fisheries waters and (or) plots, including in the list, approved by the regional executive body.

3-1. Fishery water bodies and (or) areas may be used by fishery entities for lake-commercial fish farming and (or) cage fish farming in accordance with the design capacity of the water body, determined by the biological justification and rules for fish farming in fishery water bodies.

It shall be permitted to install fish cages for growing fish in accordance with biological justification on fishery water bodies and (or) plots designated for the management of lake-commercial fish farming.

4. In the fisheries waters and (or) plots shall be prohibited to:

1) stop for the water transport within the places, prohibited for the fish culture, except for the stops at the village, fish processing points to install the beacons and in case of emergency;

2) transfer various types of fishing weapons from one fisheries waters and (or) plots to other without special processing;

3) Is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

4) be in the reservoir or in close proximity to it with fishing weapons, the use of which is not provided by the rules of fishing;

5) storage of fish on fish strings, release of dead and sick fish from floating equipment and fishing gear into water and shore coastal strip, except for cases specified in paragraph 3 of Article 11-1 of this Law;

6) catching, receiving, buying and selling, transporting and storing fish less than the established fishing rules of the fishing measure;

7) Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);

8) Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);

9) individuals and legal entities to deliver and accept fish without specifying the species;

10) perform simultaneous setting of two and more nets (scarfwise), as well as begin the setting of net to the complete sample ashore of previous net;

11) movement of all types of water transport with engines turned on in the prohibited fishing period, on fishing grounds and (or) plots, as well as in places prohibited for fishing, without coordination with the territorial subdivision of the authorized body department;

12) within the sanitary protection zones and water area of acquisition and sale of fish resources and other water animals by the individuals and legal entities without permissions for the use of animal world and without drawing up of documents, provided by the rules of fishing.

On the fishery reservoirs and (or) plots, fixed in accordance with the established procedure for conducting the lacustrine-commodity fishing and (or) cage fishing farms, the actions stipulated by subparagraphs 2) and 5) of the first part of this paragraph shall be prohibited.

5. The fishing shall be prohibited:

1) at the dam, locks and bridges, on the ducts, connecting the lakes to each other and main river, influent canals and removals of melioration system, before the mouth of rivers and canals outside the boundaries, determined by the rules of fishing;

2) fishing weapons, the use of which is not provided by the rules of fishing;

3) in wintering pits during the winter period, in spawning grounds during spawning and in other areas at times and places established by the authorized body on the basis of biological justification issued by the relevant scientific organizations;

4) by the floating crafts, not registered and not indicated by the registration numbers in the manner established by the legislation of the Republic of Kazakhstan;

5) fishing gear without tags, indicating the name of the organization and the parameters of fishing gear in accordance with the permit for the use of animal world;

6) fixed weapons for production of sturgeon in the sea and rivers;

7) in a state of alcoholic or drug intoxication or intoxication of different type;

8) by methods, which are not allowed by the rules of fishing, restrictions and prohibitions;

9) Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);

10) with the occupation of fishing weapons for more than two-thirds the width of the river or ducts;

11) installation of fixed fishing weapons in a staggered order, trap nets and secrets within a radius of five hundred meters from the mouth of rivers and water flows, falling canals;

12) at a distance closer than five hundred meters at the dams, locks and bridges in the implementation of commercial fishing;

13) in places of concentration and on migration routes of fish resources and other aquatic animals during their reproduction period, at places and at times established by the authorized body based on biological justification issued by the relevant scientific organizations;

14) with the use of explosive devices, toxic chemicals and other chemicals, as well as firearms;

15) with the use of types of weapons and methods of fishing, not included in the list of permitted to the use of commercial and non-commercial types of weapons and methods of fishing without permission of the authorized body.

Footnote. Article 39 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 15.07.2011 № 461-IV (shall be enforced from the date of its official publication); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

#### **Article 39-1. Wetlands**

1. Wetlands – natural (except for the sea, the depth of which at the ebb exceed six meters) and artificial water areas, being the places of mass habitation, nesting, reproduction of semi-aquatic species of animals, including rare and endangered.

2. Wetlands shall be subdivided by significance into the international and republican.

3. Wetlands of international significance shall include the lands, included in the list of wetlands of international significance in accordance with the international treaties.

4. Wetland of republican significance shall include all the other lands, included in the list of wetlands of republican significance in the manner established by the legislation of the Republic of Kazakhstan.

5. The measures on protection and reproduction of animal world including rare and endangered shall be provided in the wetlands.

6. For the purposes ensuring of preservation of wetlands, the development plan shall be approved by the authorized body.

Footnote. The Law is supplemented by article 39-1 in accordance with the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2).

#### **Article 39-2. Fishery engineering water bodies**

1. For the organisation of fishery engineering water bodies, individuals and legal entities shall apply to the local executive authorities for the granting of an appropriate right to a land plot.

2. Land plots for the creation of fishery engineering water bodies shall be provided as specified in this Law and in conformity with the land legislation of the Republic of Kazakhstan.

3. Water resources use during the exploitation of fishery engineering water bodies shall be carried out in line with the water legislation of the Republic of Kazakhstan.

4. Individuals and legal entities shall have the right to conclude an agreement with a territorial subdivision of the department for the conduct of fisheries in fishery technological water bodies without taking into account the requirements of Article 40 of this Law.

5. The fish farming agreement shall be concluded for forty-nine years.

**Footnote. The Law as supplemented by Article 39-2 in pursuance of Law № 399-VI of the RK dated 02.01.2021 (shall be enacted ten calendar days after the date of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).**

#### **Article 40. Procedure of fixation of hunting lands and fisheries waters and (or) plots**

1. Hunting grounds shall be assigned by a decision of the local executive body of the region based on the results of a tender.

Fishery water bodies and (or) plots shall be assigned taking into account the basin principle by a decision of the authorized body and (or) territorial subdivision based on the results of a tender.

The tender for assigning hunting grounds shall be held by a commission created in accordance with the rules for holding the competition, which includes representatives of the authorized body or department with its territorial subdivisions, the local executive body of the region, scientific organizations and republican associations of public associations of hunters and entities of the hunting industry, using the web portal of the state property register in electronic form in the manner determined by the rules for holding the tender.

The tender for assigning fishery water bodies and (or) plots shall be held using the web portal of the state property register in electronic form in the manner determined by the rules for holding the tender.

The tender shall include hunting grounds and fishery water bodies and (or) areas of the reserve fund, which, on the basis of inter-farm hunting management and certification of fishery water bodies and (or) plots, carried out at the expense of budgetary funds, shall be recognized as promising for the management of hunting and fisheries. The obligations given by the user when participating in the tender for the assignment of hunting grounds and fishery water bodies and (or) plots shall be mandatory conditions of contracts for the management of hunting and fisheries.

Hunting grounds of local importance, located entirely on land plots that are privately owned or in temporary land use by individuals and non-state legal entities, shall be assigned

to them without holding a tender at their request by a decision of the local executive body of the region, provided that they meet the established qualification requirements.

Fishery water bodies and (or) plots of local importance, located entirely on land plots that are privately owned or in temporary land use by individuals and non-state legal entities, shall be assigned to them without holding a tender at their request by a decision of the territorial division of the department, provided that they meet the established qualification requirements.

Hunting grounds and fishery water bodies and (or) plots, the assignment period for which is expiring, shall be provided without holding a tender at the request of persons to whom they were previously assigned by means of an extension of the contract, subject to compliance with the qualification requirements and fulfillment of contractual obligations.

Water bodies and (or) plots of local importance that are at risk of freezing, as a result of measures taken by persons to whom they are assigned, have lost their characteristics of being at risk of freezing, shall be provided at their request upon expiration of the assignment period for a period of five to forty-nine years without holding a tender, subject to compliance with the qualification requirements.

For the purposes of reproduction within the framework of the state order, fishery reservoirs and (or) plots, fisheries (fishery sites) may be assigned to state enterprises of the reproduction complex for a period of up to forty-nine years.

2. The term of fixation shall consist:

1) for the hunting land for the purposes of hunting farm management – from ten to forty nine years;

2) for fishery reservoirs and (or) plots to conduct fisheries, except for conducting fish farming for fish growing - from five to forty-nine years;

3) for the fish-kill dangerous reservoirs and (or) plots of local significance for the purposes of fish farm management – from one to five years.

4) for fishery reservoirs and (or) plots to conduct fish farming for fish growing - for forty-nine years.

2-1. Fixing of fishery water reservoirs and/or plot shall be the granting of the right to fish in the water body or their part, referred to fishery water reservoirs and/or plot, without granting the right to use the entire water body.

3. Hunting grounds and fishery reservoirs and (or) plots within the boundaries of previously organized hunting and fish farms shall be provided on the basis of materials from previous inter-farm hunting management and certification of fishery reservoirs and (or) plots.

4. The owner of land plot or land user shall be obliged to ensure provision of easement to the interested individuals and legal entities, as well as for the purposes of hunting and fish farm management and implementation of hunt and fishing in the plots, including in the territory or water area of hunting lands and fisheries waters and (or) plots.

5. Fishery reservoirs and (or) sites assigned to entities of the fish industry may not be transferred for use to third parties.

Footnote. Article 40 is in the wording of the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after the day of its official publication); № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication); № 268-VI of 28.10.2019 (see Article 2 for the enactment procedure ); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

#### **Article 40-1. Procedure for assigning fishery water bodies and (or) sites for the purpose of implementing investment projects in the field of fishery**

1. Fishery water bodies and (or) sites for the purpose of implementing an investment project in fishery shall be assigned by the authorized body's decision.

For the purpose of implementing investment projects in fishery, fishery water bodies and (or) sites shall be assigned to investors in accordance with the procedure determined by the authorized body.

Investment projects in fishery shall be considered and determined by investment commissions established by the decision of the authorized body's department.

The investment project in fishery shall mean the investment project on creation of new productions, providing realization by the investor of investments in creation of new fishery production facilities, in the amount not less than one hundred fifty thousand times the size of the monthly calculation indicator, established by the law on the republican budget and valid on January 1 of the corresponding financial year.

2. The list of fishery reservoirs and (or) sites for the purpose of implementation of the investment project in fishery shall be formed by the authorized body's department and agreed upon with the local executive body of the relevant oblast, city of republican status.

Provision of land plots for the placement of fish farming facilities on land plots adjacent to the assigned fishery reservoir and (or) site for fish farming, and communications to them shall be carried out in accordance with the land legislation.

A fishery reservoir and (or) site for the purpose of implementing an investment project in fish farming shall be provided upon the investor's application and in case of compliance with the requirements approved by the authorized body.

Footnote. Chapter 7 has been supplemented by Article 40-1 pursuant to the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (effective from 01.01.2025).

#### **Article 41. Use of animals, not referring to the objects of hunting and fishing for the economic purposes**

Use of animals, not referring to the objects of hunting and fishing for the economic purposes, as well as their useful properties and products of vital activity shall be carried out in the manner of general use.

**Footnote.** Article 41 is in the wording of the Law of the Republic of Kazakhstan dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 42. Use of animals in the scientific, cultural and educational, educational and aesthetic purposes, as well as for creation of zoological collections**

Use of animals except for the rare and endangered in the scientific, cultural and educational, educational and aesthetic purposes, as well as for creation of zoological collections shall be carried out in the manner established by the authorized body.

### **Article 42-1. Use of animals to prevent epizootics**

Use of animals except for rare and endangered, in order to prevent epizootics shall be carried out in the manner determined by the authorized body.

**Footnote.** Chapter 7 is supplemented with Article 42-1 in accordance with the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 43. Specialized organizations**

1. The Government of the Republic of Kazakhstan creates specialized organizations:

1) republican state enterprises for ensuring the protection, reproduction, and sustainable use of the animal world, as well as the preservation and reproduction of Kazakh breeds of dogs;

2) state institutions for ensuring the protection, reproduction, and sustainable use of the animal world.

2. Local executive bodies create specialized organizations - state institutions to ensure the protection, reproduction, and sustainable use of the animal world.

**Footnote.** Article 43 is in the wording of the Law of the Republic of Kazakhstan dated 03.01.2023 № 185-VII (shall be enforced from 01.07.2023).

### **Article 43-1. Reproduction of animal species**

The reproduction of animal species, except for fish and other aquatic animals, shall be carried out by individuals and legal entities based on biological justification and authorisation from the competent authority.

Individuals and legal entities carry out the reproduction of fishery resources and other aquatic animals on the basis of recommendations from scientific organizations in the field of protection, reproduction and use of the animal world.

Footnote. Chapter 7 is supplemented by Article 43-1 in accordance with the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by Law of the Republic of Kazakhstan № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication); № 401-VI of 02.01.2021 (shall take effect on 01.07.2021).

#### **Article 43-2. Subsidizing fisheries**

1. Subsidizing fisheries shall be carried out as an economic incentive for the development of fisheries under the following conditions:

- 1) economic efficiency of subsidizing aimed at the development of fisheries;
- 2) improving the quality and competitiveness of produced fish products.

2. Subsidizing fisheries shall be carried out in the manner determined by the authorized body, in the following areas:

1) increasing the productivity and quality of aquaculture (fish farming) products, as well as the development of breeding fish farming;

2) reimbursement of part of the costs incurred by the entity of the fisheries industry, during investment;

3) processing of fish products;

4) reduction of interest rates on loans to fishery entities.

3. Subsidizing of the fishery sector shall be carried out in accordance with the subsidizing rules, subject to acceptance by the recipient of the subsidies of counter-obligations to increase production volumes, create and (or) increase jobs and raise wages.

Footnote. Chapter 7 has been supplemented with Article 43-2 in accordance with the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (for the procedure of entry into force, see Article 2).

#### **Chapter 8. Regulation of the numbers of species of animals**

Footnote. The title as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 44. The purposes of regulation of the numbers of species of animals**

Footnote. The title as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Regulation of the numbers of species of animals shall be carried out for the purposes:

- 1) protection of the population health;
- 2) prevention of diseases of livestock and domestic animals;

- 3) prevention of damage to the economy;
- 4) keeping of biological balance.

Footnote. Article 44 as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 45. The grounds of regulation of the numbers of species of animals**

Footnote. The title as amended by the Law of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

The grounds of regulation of the numbers of species of animals shall be:

- 1) occurrence of the threat of infection or disease of population, livestock and domestic animals by the diseases, the carriers of which shall be the objects of animal world;
- 2) occurrence of the threat of significance damage to the economic;
- 3) violation of existing natural balance of animal world in their habitat, led to reduction the numbers of its separate species and other negative consequences;
- 4) occurrence of the threat of violation of hydrochemical and other regimes of reservoirs and (or) plots, which may lead to the fish-kill.

Regulation of the number of species of animals shall be carried out in accordance with the biological justification.

Footnote. Article 45 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 10.01.2011 № 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 46. Procedure of regulation of the numbers of species of animals**

Footnote. Article 46 is excluded by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

### **Chapter 9. Financing and economic incentive of measures on protection, reproduction and sustainable use**

**of animal world Article 47. Financing of measures on protection, reproduction and sustainable use  
of animal world**

1. Financing of measures on protection, reproduction and sustainable use of animal world shall be carried out at the expense of budget funds in accordance with the budget legislation of the Republic of Kazakhstan.

2. Financing of measures on protection, reproduction and sustainable use of animal world in the hunting lands and fisheries waters and (or) plots shall be performed at the expense of the funds of subjects of hunting and fish farm.

3. The public funds may be created for financing of measures on protection, reproduction and sustainable use of animal world in accordance with the legislation of the Republic of Kazakhstan, as well as not prohibited by the legislation of the Republic of Kazakhstan.

**Footnote. Article 47 as amended by the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2).**

#### **Article 48. Economic incentive of protection, reproduction and sustainable use of animal world**

Economic incentive (granting of privileges, preferences and the state support) of protection, reproduction and sustainable use of animal world shall be carried out in accordance with the legislative acts of the Republic of Kazakhstan.

#### **Chapter 10. Control and supervision in the field of protection, reproduction and use of animal world**

**Footnote. The title of chapter 10 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 № 269-V (shall be enforced from 01.01.2015).**

#### **Article 49. State control and supervision in the field of protection, reproduction and use of animal world**

1. State control and supervision in the field of protection, reproduction and use of wildlife shall be carried out in the form of inspection, preventive control with a visit to the subject (object) of control and preventive control without a visit to the subject (object) of control.

2. Inspection and preventive control with a visit to the subject (object) of control and supervision shall be carried out in accordance with the Entrepreneurial Code of the Republic of Kazakhstan.

3. Preventive control without a visit to the subject (object) of control and supervision shall be carried out in accordance with the Entrepreneurial Code of the Republic of Kazakhstan and this Law.

4. Preventive control without a visit to the subject (object) of control and supervision shall be carried out by the authorized body, department and its territorial divisions by comparing information received from various sources of information on their activities.

5. The subjects of control and supervision are the inspected entities.

6. The goals of preventive control without a visit to the subject (object) of control and supervision shall be the timely suppression and prevention of violations, granting the subjects of control and supervision the right to independently eliminate violations identified as a result of preventive control without visiting the subject (object) of control and supervision, and reducing the administrative burden on them.

7. Preventive control without a visit to the subject (object) of control and supervision shall be carried out by analyzing the report submitted by the subjects of control and supervision, as well as other information on the activities of the subject of control and supervision.

8. In the event of detection of violations in the actions (inactions) of the subject of control and supervision based on the results of preventive control without visiting the subject (object) of control and supervision, a recommendation to eliminate the violations shall be drawn up and sent within ten working days from the date of detection of the violations.

9. A recommendation to eliminate violations must be handed over to the subject of control and supervision personally against signature or in another way, confirming the facts of sending and receiving.

10. A recommendation on elimination of violations sent by one of the following methods is considered delivered in the following cases:

- 1) on purpose - from the date of the note in the recommendation of receipt;
- 2) by mail - by registered mail;
- 3) electronically - from the date of sending to the email address of the subject of control and supervision specified in the letter at the request of the authorized body, department or its territorial division.

11. A recommendation to eliminate violations identified based on the results of preventive control without visiting the subject (object) of control and supervision shall be implemented within thirty working days from the day following the date of its delivery.

12. The subject of control and supervision, in case of disagreement with the violations specified in the recommendation to eliminate violations, has the right to send an objection to the authorized body, department or its territorial division that sent the recommendation within five working days from the day following the day of delivery of the recommendation.

13. Failure to implement within the established time limit a recommendation to eliminate violations identified based on the results of preventive control without visiting the subject (object) of control and supervision shall entail the appointment of preventive control with a visit to the subject (object) of control and supervision by including it in the semi-annual list of preventive control with a visit to the subject (object) of control and supervision.

14. Preventive control without a visit to the subject (object) of control and supervision shall be carried out no more than once per quarter.

**Footnote. Article 49 as amended by the Law of the Republic of Kazakhstan dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); with amendments introduced by the Law of the Republic of**

Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

**Article 49-1. State control in the field of protection, reproduction and use of wildlife in terms of preventing unauthorized removal of wildlife objects**

1. State control in the field of protection, reproduction and use of wildlife in terms of preventing unauthorized removal of wildlife objects shall be carried out in the form of inspections without notifying the subjects of control and supervision.

2. The inspection shall be carried out for compliance with the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife by examining the activities of the subjects of control and supervision in order to prevent unauthorized removal of wildlife objects.

The inspection shall be carried out on:

fishery water bodies and (or) plots - by the department of the authorized body or its territorial divisions in the field of protection, reproduction and use of fish resources and other aquatic animals;

hunting grounds - by the department of the authorized body or its territorial divisions in the field of forestry, protection, reproduction and use of wildlife and specially protected natural areas.

3. An official of the authorized body department or its territorial subdivision, who carries out an inspection at fishery water bodies and (or) sites shall check:

- 1) availability of a fisherman's certificate;
- 2) availability of a permit for the use of wildlife, as well as compliance of the quantity and species composition of the caught fish with the permit for the use of wildlife;
- 3) availability of a log for accounting the catch of fish resources and other aquatic animals (a trade log) and compliance of the entered data on the volume and species composition of fish;
- 4) fishing gear and fishing methods for compliance with the list of commercial and non-commercial types of gear and fishing methods permitted for use, fishing rules and the permit for the use of wildlife;
- 5) compliance with restrictions and prohibitions on the use of wildlife, their parts and derivatives;
- 6) compliance with the commercial measure of fish and by-catch by fish species;
- 7) availability of a voucher.

4. An official of the authorized body department or its territorial subdivision, who carries out an inspection on hunting grounds shall check:

- 1) availability of a hunter's license;
- 2) availability of a permit for the use of wildlife and a voucher;

3) availability of a permit for the storage, storage and carrying of civilian weapons and ammunition for them;

4) availability of a passport for a hunting bird of prey or a hunting dog;

5) availability of a contract on the use of wildlife with a hunting entity;

6) availability of a log of animal harvesting (a trade log);

7) availability of a permit for the removal of animal species the numbers of which are subject to regulation;

8) the tools, methods and ways of harvesting animals, their sex and age composition for compliance with hunting rules;

9) compliance with restrictions and prohibitions on the use of wildlife, their parts and derivatives.

5. An official who arrives to conduct an inspection shall present an official ID or identification card to the subject of control and supervision.

6. The period for conducting an inspection in relation to the subject of control and supervision shall not exceed twenty-four hours.

7. If, during the course of and (or) as a result of the inspection, facts of a violation with the presence of elements of an administrative offence are revealed, the subject of control and supervision shall be brought to administrative responsibility in accordance with the Code of the Republic of Kazakhstan on Administrative Offences.

8. During an inspection, officials shall have the right to:

1) have unimpeded access to the territory and premises of the subject (object) of control and supervision upon presentation of the documents specified in paragraph 5 of this Article;

2) carry out audio, photo and video recording.

9. During an inspection, an official shall not have the right to:

1) demand the provision of documents and information if they are not the objects of the inspection or do not relate to the subject of the inspection;

2) disclose and (or) disseminate information obtained as a result of the inspection;

3) make demands and make requests that are not related to the subject of the inspection.

10. When conducting an inspection, officials shall be obliged:

1) to comply with the legislation of the Republic of Kazakhstan, the rights and legitimate interests of the subjects of control and supervision;

2) to conduct an inspection on the basis of and in strict accordance with the procedure established by this Article;

3) to apply measures of rapid response in accordance with this Law;

4) to promptly and fully exercise the powers granted in accordance with the laws of the Republic of Kazakhstan to prevent, identify and suppress violations of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife;

5) not to prevent the subject of control and supervision or its authorized representative from being present during the inspection, from providing explanations on issues related to the subject of the inspection;

6) to provide the subject of control and supervision with the necessary information related to the subject of the inspection;

7) to ensure the safety of documents and information obtained as a result of the inspection.

11. When carrying out an inspection, subjects of control and supervision shall have the right:

1) not to allow officials who have arrived to conduct the inspection to participate in the inspection if the documents specified in paragraph 5 of this Article are missing;

2) not to present documents and information if they are not related to the subject of the inspection;

3) to record the process of the inspection, as well as individual actions of the official carried out by him/her within the framework of the inspection, using audio and video equipment, without creating obstacles to the activities of the official;

4) to appeal decisions, actions (inaction) of officials to a superior official or to the court in the manner established by the legislation of the Republic of Kazakhstan.

12. Subjects of control and supervision shall be obliged:

1) not to interfere with the implementation of inspections to prevent unauthorized seizure of wildlife objects, carried out in accordance with this Article;

2) to ensure unimpeded access of officials carrying out the inspection to the territory and premises of the subject (object) of control and supervision, subject to the requirements of paragraph 5 of this Article.

**Footnote. Chapter 10 has been supplemented by Article 49-1 in accordance with the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).**

#### **Article 49-2. Rapid response measures and the procedure for their application**

1. In the course of implementation and (or) based on the results of state control, officials in the field of protection, reproduction and use of wildlife shall apply measures of rapid response in cases of identification of activities or individual types thereof, products (goods), services of the subject (object) of control and supervision that pose a direct threat to the rights and legitimate interests of individuals and (or) legal entities, the life and health of people, the environment.

2. Measures of rapid response shall be the methods of influencing subjects (objects) of control and supervision, applied in the course of implementation and (or) based on the results of an inspection, preventive control with a visit to the subject of control and supervision, the types of which are provided for by this Law.

3. Rapid response measures include:

within the framework of state control and supervision in accordance with subparagraph 6) of paragraph 4 of Article 129 of the Entrepreneurial Code of the Republic of Kazakhstan:

1) detention, delivery to law enforcement agencies of persons who have committed unauthorized seizure of wildlife, with signs of a crime or criminal offense;

2) seizure from individuals and legal entities of illegally obtained wildlife, the tools for their extraction, as well as swimming and transport vehicles for transfer to law enforcement agencies.

within the framework of preventive control with a visit to the subject (object) of control and supervision and (or) inspection - suspension of the activity of the subject of control and supervision or its individual types.

4. The grounds for applying rapid response measures shall be violations of the requirements established by the legislation of the Republic of Kazakhstan, which are the subject of state control in accordance with Articles 129 and 143 of the Entrepreneurial Code of the Republic of Kazakhstan.

5. Officials in the field of protection, reproduction and use of wildlife in the course of implementation and (or) based on the results of state control upon detecting violations of the requirements that are the basis for applying rapid response measures shall issue a resolution on the application of rapid response measures in the form approved by the authorized body.

The resolution on the application of rapid response measures shall be drawn up and handed over to the subject of control and supervision in accordance with Article 153 of the Entrepreneurial Code of the Republic of Kazakhstan.

After the supervision act is drawn up based on the results of state control on the basis of subparagraph 6) of paragraph 4 of Article 129 of the Entrepreneurial Code of the Republic of Kazakhstan, the official in the field of protection, reproduction and use of wildlife directly shall apply the rapid response measure.

6. In the event of a refusal to accept the resolution on the application of rapid response measures, when it is handed over in person, a corresponding entry shall be made in it and a video recording shall be made confirming the fact of the refusal to accept the resolution on the application of rapid response measures.

The resolution on the application of rapid response measures shall be sent to the legal address, location or actual address of the subject of control and supervision by letter with notification of its delivery.

7. Refusal to receive the resolution on the application of rapid response measures shall not be grounds for its non-fulfillment.

8. Violations of requirements identified during the implementation and (or) as a result of preventive control with a visit to the subject (object) of control and supervision and (or) inspection, which are the basis for the application of rapid response measures, shall be

reflected in the act on the inspection results, as well as in the order to eliminate violations of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife.

9. The subject of control and supervision shall be obliged to eliminate the identified violations of the requirements, which are the basis for the application of the rapid response measure within the timeframes specified in the order to eliminate the violations of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife.

10. Upon expiration of the timeframes for eliminating the violations of the requirements specified in the order to eliminate the violations of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife, an unscheduled inspection shall be carried out to control the elimination of the identified violations of requirements, which are the basis for the application of a rapid response measure .

The effect of the resolution on the application of rapid response measures shall be terminated if the control and supervision body confirms the elimination of identified violations of the requirements that are the basis for the application of rapid response measures , based on the act on the results of an unscheduled inspection in accordance with subparagraph 2-1) of paragraph 5 of Article 144 of the Entrepreneurial Code of the Republic of Kazakhstan.

11. In the event of failure to eliminate the identified violations of the requirements that are the basis for the application of rapid response measures, the measures shall be taken to bring the persons who committed the violations to justice in the manner established by the laws of the Republic of Kazakhstan.

12. Before the expiration of the periods stipulated by the order to eliminate violations of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife, the subject of control and supervision shall be obliged to provide information on the elimination of identified violations of the requirements with the attachment of materials proving the fact of the violation elimination.

In the event of providing the information stipulated by part one of this paragraph, an unscheduled inspection shall be carried out in accordance with part two of paragraph 10 of this Article.

13. In the event of disagreement with the results of state control that entailed the application of rapid response measures, the subject of control and supervision may file a complaint to recognize the resolution on the application of rapid response measures as invalid and to cancel it.

The complaint shall be filed with a higher state body in the manner prescribed by Chapter 29 of the Entrepreneurial Code of the Republic of Kazakhstan, or with a court in the manner prescribed by the legislation of the Republic of Kazakhstan.

Filing a complaint shall not suspend the execution of the resolution on the application of rapid response measures.

14. The grounds for invalidating the resolution on the application of rapid response measures and for its cancellation shall be:

- 1) absence of grounds for the application of rapid response measures;
- 2) application of a rapid response measure on a basis that does not correspond to the given measure;
- 3) application of rapid response measures by the department of the authorized body or its territorial divisions on issues that are not within their competence.

15. Information on the application of rapid response measures shall be sent to the state body that carries out, within the limits of its competence, activities in the field of state legal statistics and special records, in the manner determined by the Prosecutor General's Office of the Republic of Kazakhstan.

**Footnote. Chapter 10 has been supplemented by Article 49-2 in accordance with the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).**

**Article 49-3. State control in the field of protection, reproduction and use of wildlife over the activities of local executive bodies of regions, cities of republican significance, the capital**

1. State control in the field of protection, reproduction and use of wildlife over the activities of local executive bodies of regions, cities of republican significance, the capital ( hereinafter - the inspected state body) shall be carried out in the form of periodic, unscheduled inspections and remote control in accordance with this Article.

2. Periodic inspection shall be carried out on the basis of semi-annual plans developed and approved by the authorized body, no later than December 1 of the year preceding the year of the inspection, and June 1 of the current calendar year.

The semi-annual plan for conducting periodic inspections includes:

- 1) the number and date of the plan approval;
- 2) the name of the state body;
- 3) the name of the state body being inspected, its location;
- 4) the subject of the inspection;
- 5) the terms of the inspection;
- 6) the signature of the person authorized to sign the plan.

The semi-annual plan for conducting periodic inspections shall be a notification of the periodic inspection and shall be posted on the Internet resource of the authorized agency and its territorial subdivision no later than December 10 of the year preceding the year of the inspection and June 10 of the current calendar year.

Amendments and additions to the semi-annual plan for conducting periodic inspections shall be made in cases of liquidation, reorganization of the inspected state body, change of its

name, as well as occurrence of an emergency of natural, man-made or social nature, introduction of a state of emergency, occurrence or threat of occurrence of the spread of an epidemic, outbreaks of quarantine objects and especially dangerous harmful organisms, infectious, parasitic diseases, poisoning, radiation accidents and related restrictions.

In the event of the cases specified in part four of this paragraph, the periodic inspection may be extended or suspended.

The deadlines for periodic inspections shall be set taking into account the amount of works to be done, as well as the tasks set, and should not exceed fifteen working days, with an extension of no more than fifteen working days. The period of the periodic inspection shall be interrupted when the periodic inspection is suspended and continue from the moment the periodic inspection is resumed.

The period for conducting periodic inspections may be extended only once. The extension shall be carried out by a decision of the management of the authorized body or the head of the territorial division of the authorized body. The extension of the period for conducting periodic inspections shall be formalized by an additional order on the extension of the period for a periodic inspection with notification of the inspected state body, which specifies the date and number of the previous order on the appointment of the inspection and the reasons for the extension. The notification on the extension of the period for a periodic inspection shall be delivered to the inspected state body by the authorized body department or its territorial division one working day before the extension with a delivery confirmation.

3. The following sources of information shall be used to form semi-annual plans for conducting periodic inspections:

- 1) results of monitoring reports and information, including through automated information systems;
- 2) results of analysis of information provided by state bodies at the request of the authorized body department and (or) its territorial subdivision;
- 3) results of previous state control and other inspections;
- 4) results of remote control.

When analyzing and selecting local executive bodies of regions, cities of republican significance, the capital for forming semi-annual plans for conducting periodic inspections, data can be used in comparison with the same period of the previous year.

4. The inspection shall be carried out by visiting the inspected state body on the basis of an order on the appointment of an inspection, which specifies:

- 1) the number and date of the order;
- 2) the name of the state body;
- 3) surname, name, patronymic (if indicated in the identity document) and position of the person authorized to conduct the inspection;
- 4) information about the specialists, consultants and experts involved in the inspection;
- 5) the name of the inspected state body, its location;

- 6) the subject of the appointed inspection;
- 7) the type of inspection;
- 8) the deadlines of the inspection;
- 9) the basis for the inspection;
- 10) the period under inspection;
- 11) the rights and obligations of the inspected state body;
- 12) signature of the head of the inspected state body or its authorized person on receipt or refusal to receive the order;
- 13) signature of the person authorized to sign the order.

Orders on the appointment, extension, suspension and resumption of periodic inspections shall be signed by the management of the authorized body department or the head of the territorial division of the authorized body department.

The start of the inspection shall be considered to be the date of delivery of the act on the appointment of the inspection to the inspected state body.

5. The grounds for an unscheduled inspection shall be:

- 1) monitoring compliance with requirements to eliminate the identified violations specified in the conclusion based on the results of the inspection and (or) remote control;
- 2) appeals from individuals and legal entities regarding specific facts of violations of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife;
- 3) a request from the prosecutor's office regarding specific facts of causing or threatening to cause harm to the rights and legitimate interests of individuals and legal entities, the state;
- 4) appeals from state bodies regarding specific facts of causing harm to the rights and legitimate interests of individuals and legal entities, the state, as well as regarding specific facts of violations of the requirements of the legislation of the Republic of Kazakhstan, failure to eliminate which entails causing harm to the rights and legitimate interests of individuals and legal entities, the state.

The department of the authorized body or its territorial division shall be obliged to notify the inspected state body of the start of the unscheduled inspection at least one day before its start, indicating the subject of the inspection.

6. The period for conducting an unscheduled inspection must be no more than ten working days with an extension of up to ten working days.

The period for conducting an unscheduled inspection may be extended only once. The extension shall be carried out by a decision of the authorized body department or the head of the territorial division of the authorized body department. The extension of the period for conducting an unscheduled inspection shall be formalized by an additional order on extending the period for an unscheduled inspection with notification of the inspected state body, which specifies the date and number of the previous order scheduling the inspection and the reasons for the extension. The notification on the extension of the period for an unscheduled

inspection shall be delivered to the inspected state body by the authorized body department or its territorial division one working day before the extension with a delivery confirmation.

7. Unscheduled inspections shall not be conducted in cases of anonymous requests.

8. Remote control shall be conducted once a year without visiting the inspected state body by performing the following actions:

- 1) monitoring the activities of the inspected state body;
- 2) requesting the necessary information related to the subject of the inspection;
- 3) calling the head of the inspected state body or its authorized representative in order to obtain the necessary information related to the subject of the inspection.

The period for conducting remote control shall not exceed ten working days. On the day of completion of remote control, a conclusion on the results of remote control (if any violations are present) shall be sent to the inspected state body.

9. If violations are detected as a result of remote control, a report shall be drawn up in triplicate, indicating:

- 1) the number, date and place of drawing up the report;
- 2) the name of the state body;
- 3) the name of the inspected state body and its location;
- 4) the basis and subject of remote control;
- 5) the period and deadlines for conducting remote control;
- 6) the violations identified and requirements for their elimination, indicating the deadline for fulfilling the requirements and taking measures against the persons who committed the violations.

In this case, the deadline for fulfilling the requirements for eliminating the identified violations shall be at least ten working days from the date of delivery of the report;

- 7) signature of the official who carried out the remote control.

One copy of the conclusion on the results of the remote control shall be sent to the inspected state body in the form of a registered postal item with a delivery confirmation or by means of an electronic document to the e-mail address of the inspected state body or by other accessible means. The second copy shall remain with the department of the authorized body or its territorial subdivision, the third copy in electronic form shall be submitted to the state body that carries out, within the limits of its competence, activities in the field of state legal statistics and special records.

In the event of any comments and/or objections regarding the results of remote control, the inspected state body shall set them out in writing and send them to the department of the authorized body or its territorial subdivision within three working days from the date of receipt of the conclusion on the results of remote control.

The department of the authorized body or its territorial subdivision shall consider the comments and/or objections of the inspected state body and provide a reasoned response within ten working days.

10. Based on the results of the inspection, a report shall be drawn up in triplicate.

The report on the results of the inspection shall indicate:

- 1) the number, date and place of drawing up the report;
- 2) the name of the state body;
- 3) the surnames, names, patronymics (if indicated in the identity documents) and positions of the persons who conducted the inspection;
- 4) information about the specialists, consultants and experts involved in the inspection;
- 5) the name of the state body being inspected, its location;
- 6) the basis and subject of the inspection;
- 7) the type of inspection;
- 8) the period of the inspection;
- 9) the duration of the inspection;
- 10) the violations identified and the requirements for their elimination, indicating the deadline for fulfilling the requirements and (or) taking measures against the persons who committed the violations;
- 11) information about familiarization with or refusal to familiarize themselves with the conclusion of the persons present during the inspection, their signatures or a record of refusal to sign;
- 12) the signature of the officials who conducted the inspection.

Documents related to the results of the inspection, or their copies, shall be attached to the conclusion on the results of the inspection, if any.

11. The first copy of the conclusion on the results of the inspection in electronic form shall be submitted to the state body that carries out, within the limits of its competence, activities in the field of state legal statistics and special records, the second copy on paper against signature or in electronic form shall be handed to the inspected state body (the head or his authorized person) for review and taking measures to eliminate the identified violations and other actions, the third copy shall remain with the department of the authorized body or its territorial subdivision.

In the event of any comments and/or objections to the inspection results, the inspected state body shall set them out in writing and send them to the department of the authorized body or its territorial subdivision within three working days from the date of receipt of the conclusion on the inspection results. The official who conducted the inspection shall make a corresponding entry in the conclusion on the inspection results.

The department of the authorized body or its territorial subdivision shall consider the comments and/or objections of the inspected state body and provide a reasoned response within ten working days.

12. In the absence of violations of the requirements established by the legislation of the Republic of Kazakhstan, during the inspection, a corresponding entry shall be made in the conclusion on the inspection results.

13. The end of the inspection period shall be considered to be the day when the inspection results report is delivered to the inspected state body no later than the inspection completion date specified in the order scheduling the inspection (additional order extending the inspection period, if any).

14. The requirements for the elimination of the identified violations specified in the inspection results report or remote control report shall be mandatory for the inspected state bodies.

Upon expiration of the period for eliminating the identified violations specified in the conclusion on the results of the inspection or remote control, the inspected state body, within the period established in the conclusion on the results of the inspection or remote monitoring, shall be obliged to provide information to the department of the authorized body and (or) its territorial subdivision on the elimination of the identified violations.

In cases of failure to provide or partial provision of information by the inspected state body on the elimination of the identified violations within the established period, the department of the authorized body and (or) its territorial subdivision shall appoint an unscheduled inspection.

The inspected state body shall attach materials proving the fact of the violation elimination to the information provided on the elimination of the identified violations. In this case, an unscheduled inspection shall not be required.

15. During an inspection, officials of the authorized body department and/or its territorial subdivision shall have the right to:

- 1) have unimpeded access to the territory and premises of the inspected state body;
- 2) receive documents (information) on paper and electronic media or copies thereof for inclusion in the report on the results of inspection or remote control, as well as access to automated databases (information systems) in accordance with the subject of the inspection;
- 3) involve specialists, consultants and experts;
- 4) carry out audio, photo and video recording;
- 5) extend, suspend and resume the inspection in the cases specified in this Article.

16. Officials of the authorized body who arrive to conduct the inspection shall be required to present to the inspected state body:

- 1) an order on the inspection appointment;
- 2) an official ID (identification card).

17. The inspected state bodies or their authorized representatives, when conducting the inspection, shall have the right:

- 1) not to submit documents and information if they are not related to the subject of the inspection or remote control;
- 2) for violations identified as a result of an inspection or remote control, in the event that additional time and/or financial costs are required, no later than three working days, to apply

to the department of the authorized body or its territorial subdivision with an application to extend the deadline for eliminating the violations;

3) to appeal the conclusion on the results of the inspection or remotecontrol, as well as the actions (inaction) of officials of the department of the authorized body or its territorial subdivision in the manner established by the legislation of the Republic of Kazakhstan;

4) not to comply with prohibitions of officials of the authorized body department or its territorial subdivision that are not based on law and that restrict the activities of the inspected state body;

5) to record the process of conducting an inspection or remote control, as well as individual actions of the official carried out by him/her within the framework of the inspection or remote control, using audio and video equipment, without creating obstacles to the activities of the official.

18. The inspected state bodies or their authorized representatives, when conducting an inspection, shall be obliged to:

1) ensure unimpeded access of officials of the department of the authorized body or its territorial subdivision to the territory and premises of the inspected state body;

2) in compliance with the requirements for the protection of commercial, tax or other secrets protected by the law of the Republic of Kazakhstan, provide officials of the authorized body with documents (information) on paper and electronic media or copies thereof for inclusion in the conclusion on the results of the inspection or remote control, as well as access to automated databases (information systems) in accordance with the subject of the inspection or remote control;

3) make a note on receipt of the order of an inspection appointment on the day the inspection starts and of the conclusion on the results of the inspection or remote control on the day of their completion;

4) prevent changes and additions to the documents being inspected during the inspection or remote monitoring period, unless otherwise provided by this Law or other laws of the Republic of Kazakhstan;

5) ensure the presence of the head or his authorized person at the location of the inspected state body during the appointed inspection periods.

19. If, as a result of the inspection, a violation by the inspected state body of the requirements in the field of protection, reproduction and use of wildlife is revealed, in the presence of sufficient data indicating signs of an administrative offence, officials of the department of the authorized body or its territorial subdivision, within the limits of their authority, shall take measures to bring the persons who committed the violations to justice, as established by the laws of the Republic of Kazakhstan.

In cases of obstruction of access of an official of the authorized body department or its territorial division conducting the inspection to materials necessary for conducting the inspection, or provision of false information, failure to comply or improper compliance with

legal requirements to eliminate violations, measures shall be taken to bring the persons who committed the violations to justice, as established by the laws of the Republic of Kazakhstan.

**Footnote.** Chapter 10 has been supplemented by Article 49-3 in accordance with the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

#### **Article 50. The objects of the state control and supervision in the field of protection, reproduction and use of animal world**

The objects of the state control and supervision in the field of protection, reproduction and use of animal world shall be:

- 1) the animal world and its habitat;
- 2) conditions for the keeping, captive and semi-free breeding of rare and endangered animal species and species subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- 3) tools, methods and (or) ways of obtaining objects of the animal world;
- 4) extracted products of animal world;
- 5) documentation confirming the right to use animal world (certificate of a hunter and/or fisherman, agreements for hunting, fishing management, hunting agreement, agreement and permission to use animal world, voucher, fishing journal);
- 6) an activity on protection, reproduction and use of animal world;
- 7) regulatory documentation in the field of protection, reproduction and use of animal world;
- 8) an activity, having an impact on the animal world and its habitat.

**Footnote.** Article 50 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); or 25.01.2012 № 548-IV ( shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 34-VII of 30.04.2021 (shall come into force ten calendar days after the date of its first official publication).

#### **Article 51. The civil servants, carrying out the state control and supervision in the field of protection, reproduction and use of animal world**

1. The head of the department of the authorized body shall be the chief state inspector for protection of animal world of the Republic of Kazakhstan at the same time.

2. The deputies of the head of the department of the authorized body, who are responsible for regulation, control and supervision in the field of protection, reproduction and use of

animal world, at the same time shall be deputies of the chief state inspector for protection of animal world of the Republic of Kazakhstan.

3. The head of the territorial division of the department of the authorized body at the same time shall be the chief state inspector for protection of animal world of the relevant area (pool).

4. Deputies of the head of the territorial subdivision of the authorized body, who are responsible for regulation, control and supervision in the field of protection, reproduction and use of wildlife, at the same time shall be deputies of the chief state inspector for protection of animal world in the relevant area (pool).

5. Heads of structural subdivisions of the authorized body, who are responsible for regulation, control and supervision in the field of protection, reproduction and use of wildlife shall be at the same time senior state inspectors for protection of animal world of the Republic of Kazakhstan, and specialists of the authorized body responsible for regulation, control and supervision in the field of protection, reproduction and use of animal world, - state inspectors for protection of animals world of the Republic of Kazakhstan.

6. The heads of the structural divisions of the territorial subdivisions of the authorized body responsible for regulation, control and supervision in the field of protection, reproduction and use of wildlife at the same time shall be senior state inspectors for protection of wildlife of the relevant area (pool), and specialists dealing with issues for regulation, control and supervision in the field of protection, reproduction and use of animal world, - state inspectors for protection wildlife respective area (pool).

**Footnote.** Article 51 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 № 269-V (shall be enforced from 01.01.2015); as amended by the Law of the Republic of Kazakhstan dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 52. Rights and obligations of civil servants, carrying out the state control and supervision in the field of protection, reproduction and use of animal world**

**Footnote.** The title as amended by the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2).

1. Civil servants, carrying out the state control and supervision in the field of protection, reproduction and use of animal world shall have a right to:

1) visit the objects for the purposes of control with respect to compliance with the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world, as well as receive information on activity of the users of animal world in the manner established by the legislation of the Republic of Kazakhstan;

2) issue the acts within the powers, provided by this Law;

3) transfer materials of verifications to the law-enforcement bodies for adoption of procedural decision;

4) is excluded by Law of the Republic of Kazakhstan № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication);

5) determine the extents of damage, caused as the result of violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world and on the basis of this to present the claims to the guilty persons on voluntary compensation of this damage or bring a case before a court;

6) consider the cases on administrative infractions in the field of protection, reproduction and use of animal world in accordance with the Code of the Republic of Kazakhstan on administrative infractions;

7) stop the transport vehicles and floating crafts in the territories of hunting lands, fisheries waters and (or) plots and their seashore, as well as on specially protected natural territories and upon departure from them to make their inspection;

7-1) inspect water intake and discharge facilities for the presence of fish protective devices and their compliance with the established requirements;

7-2) examine the documents for the right of the use of animal world of the persons, being in the hunting lands and fisheries waters and (or) plots, seashore and upon departure from them;

8) confiscate tools for illegal extraction of wildlife and watercraft, vehicles for temporary storage until a court decision is made and/or for transfer to law enforcement agencies as part of a rapid response;

9) seize the illegally taken fauna and products of their vital activity in the manner prescribed by the legislation of the Republic of Kazakhstan;

10) seize firearms used in violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of the animal world, for temporary storage until a court decision is made;

11) for the storage, carrying and use of special means and service weapons in the manner established by the legislation of the Republic of Kazakhstan.

12) detain and deliver to law enforcement agencies persons who have committed illegal seizure of wildlife.

2. The civil servants, carrying out the state control and supervision in the field of protection, reproduction and use of animal world shall be obliged to carry out control of:

1) observance of rules, hunting and fish farm management;

2) observance of rules of hunting and fishing;

3) is excluded by Law of the Republic of Kazakhstan № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication);

4) is excluded by Law of the Republic of Kazakhstan № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication);

5) observance of established restrictions and prohibits for the use of animal world;

6) implementation of measures on protection, reproduction and use of animal world ;

7) maintenance of order of carrying out of introduction, reintroduction, hybridization of animals;

8) compliance with norms and standards in the field of protection, reproduction and use of animal world;

8-1) fulfilment by individuals and legal entities of the terms of the contract for management of hunting and fish farms;

8-2) observance of the procedures for the keeping, breeding in captivity and semi-freezing of rare and endangered animal species and species subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, as well as the establishment of fauna collections;

9) execution of other requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world.

3. Civil servants, carrying out the state control and supervision in the field of protection, reproduction and use of animal world shall be provided by uniforms with the signs of differences (without shoulder boards).

Footnote. Article 52 as amended by the Laws of the Republic of Kazakhstan dated 17.07.2009 № 188-IV (the order of enforcement see Article 2); dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 05.07.2011 № 452-IV (shall be enforced from 13.10.2011); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 № 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2014 № 203-V (shall be enforced upon expiry of six months after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication) ; № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 34-VII of 30.04.2021 (shall take effect ten calendar days after the date of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

**Article 53. Acts of officials of the department of the authorized body and its territorial subdivisions exercising state control and supervision in the field of protection, reproduction and use of animal world**

Footnote. The title as amended by the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

1. For the purpose of adopting legal measures of influence based on the results of state control and supervision, depending on the established violations of the requirements of the

legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world by officials of the department of the authorized body and its territorial units exercising state control and supervision in the field of protection, reproduction and use of animal world, the following acts shall be issued:

- 1) a protocol on administrative infractions;
  - 1-1) an act of verification;
- 2) an order to eliminate the violation of the requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of the animal world;  
on elimination of violations of requirements of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world;  
on prohibition or suspension of economic activity of individuals and legal entities without judicial decision for the term not more than three days with the compulsory submission of the statement of claim to the court in the specified term. Upon that an act on prohibition or suspension of economic activity shall operate up to elimination of identified violations or making judicial decision;
- 3) a resolution on bringing the guilty persons to administrative responsibility in case of violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of the animal world;
- 4) a protocol on the seizure of firearms used in violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of the animal world, prohibited types of tools for taking and illegally taken fauna and products of their vital activity for temporary storage until a court decision is made.

2. Acts of officials of the department of the authorized body and its territorial subdivisions exercising state control and supervision in the field of protection, reproduction and use of the animal world shall be mandatory for execution by individuals and legal entities.

**Footnote. Article 53 as amended by the Laws of the Republic of Kazakhstan dated 31.01.2006 № 125; dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication); dated 28.10.2019 № 268-VI ( shall be enforced upon expiry of ten calendar days after the day of its first official publication ).**

**Article 54. Legal and social protection of officials of the department of the authorized body and its territorial subdivisions exercising state control and supervision in the field of protection, reproduction and use of animal world**

Footnote. The title as amended by the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Officials of the department of the authorized body and its territorial subdivisions carrying out state control and supervision in the field of protection, reproduction and use of wildlife shall be subject to legal and social protection in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 54 as amended by the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 55. The state protection of animal world**

1. The state protection of animal world of the Republic of Kazakhstan (hereinafter – the state protection of animal world) shall consist of employees of the specialized organization on protection of animal world, responsible for the issues of protection, reproduction and use of animal world.

2. The state protection of animal world for performance of duties, assigned to it shall have a right to:

1) verify the documents of individuals and legal entities for the right of hunting and (or) fishing;

2) draw up the protocols on administrative infractions in the field of protection, reproduction and use of animal world in accordance with the Code of the Republic of Kazakhstan on administrative infractions;

3) is excluded by Law of the Republic of Kazakhstan № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication);

4) make an inspection of transport vehicles, other objects and places in accordance with the legislation of the Republic of Kazakhstan, and if it is necessary – personal inspection of detained persons;

5) is excluded by Law of the Republic of Kazakhstan № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication);

6) wearing of uniform with the signs of differences (without shoulder boards); and service weapons in the manner established by the legislation of the Republic of Kazakhstan;

7) detain and deliver the persons to law enforcement agencies who have committed offences in the field of protection, reproduction and use of the animal world;

8) seize firearms from individuals and legal entities used in violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of the animal world, prohibited types of hunting tools, illegally taken fauna and products of their vital activity and decide on their further ownership in the manner established by the legislation of the Republic of Kazakhstan.

3. The state protection of animal world shall be obliged to:

1) prevent and suppress infractions in the field of protection, reproduction and use of animal world;

2) direct the information, stated claims and other materials to the authorized and law-enforcement bodies, court on facts of violations of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world;

3) detain individuals who have committed offenses in the field of protection, reproduction and use of the animal world and take them to law enforcement bodies;

4) withdraw from individuals firearms used in violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of the animal world, illegally obtained hunting and fishing products, prohibited types of catching tools and decide on their further ownership in the manner prescribed by the legislation of the Republic of Kazakhstan;

5) adopt measures to combat illegal, unreported, unregulated fishing, as well as illicit trafficking in products made from aquatic biological resources.

4. The storage, bearing and use of special means and service weapons shall be permitted to the civil servants of the state protection of animal world in the manner established by the legislation of the Republic of Kazakhstan.

5. The civil servants of the state protection of animal world shall be provided by uniform with the signs of differences (without shoulder boards) and service weapons in the manner established by the legislation of the Republic of Kazakhstan.

6. An activity of the state protection of animal world shall be determined by the Provision on the state protection of animal world approved by the authorized body.

**Footnote. Article 55 as amended by the Laws of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication) ; № 156-VI as of 24.05.2018 (shall be enforced ten calendar days after its first official publication); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 11-VII of 23.02.2021 (see Article 2 for the enactment procedure).**

## **Article 56. Production control on protection, reproduction and use of animal world**

1. Production control on protection, reproduction and use of animal world – an activity of hunting service of subjects of hunting and fish farm, carrying out the function of protection of animal world on the not fixed hunting lands and fisheries waters and (or) plots.

2. Huntsman shall have a right to:

1) draw up protocols on administrative violations in accordance with the legislation of the Republic of Kazakhstan on administrative offenses for mandatory subsequent transfer to the territorial office of the authorized body;

- 2) bearing of service weapons and special clothes with the signs of differences;
- 3) verify the documents of individuals and legal entities for the right of hunting and fishing;
- 4) seize the fire weapons for violation of rules of hunting for compulsory subsequent transfer to the internal affairs bodies;
- 5) confiscate hunting tools used in violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife, illegally obtained hunting and fishing products, prohibited types of hunting tools for mandatory subsequent transfer to the state inspector for the protection of wildlife or employees of the internal affairs bodies of the Republic of Kazakhstan;
- 6) stop vehicles and watercraft in the assigned hunting area, fishery water body and/or site and its shoreline when leaving it.

3. Huntsman shall be obliged to:

- 1) ensure protection of animal world on the fixed hunting lands and fisheries waters and (or) plots;
- 2) suppress violations of hunting and fishing rules, internal regulations of hunting management, fire safety, as well as established restrictions and prohibitions on the use of wildlife in quiet zones and in reproduction areas;
- 3) require termination of actions, led to the death of animals and destruction of their habitat from the individuals and legal entities;
- 4) take measures on preservation of habitat, conditions of breeding and places of concentration of objects of animal world;
- 5) make propaganda of careful and humanist attitude to the animal world;
- 6) take measures on rendering assistance to the objects of animal world in the case of diseases and threat of the death upon natural disasters;
- 7) ensure preservation of name plates.

**Footnote.** Article 56 is in the wording of the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15. 06. 2017 № 73-VI (shall be enforced upon expiry of ten calendar days after its first official publication); № 34-VII of 30.04.2021 (shall go into effect ten calendar days after the date of its first official publication) ; dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

**Article 57. Public control in the field of protection, reproduction and use of animal world**

Public control in the field of protection, reproduction and use of wildlife is carried out in accordance with the Law of the Republic of Kazakhstan “On Public Control”.

Footnote. Article 57 - as amended by the Law of the Republic of Kazakhstan dated 10.02.2023 № 31-VIII (shall be enforced six months after the day of its first official publication).

## **Chapter 11. Final provisions Article 58. Responsibility for violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world**

Violation of the legislation of the Republic of Kazakhstan in the field of protection, reproduction and use of animal world shall entail responsibility, established by the Laws of the Republic of Kazakhstan.

Footnote. Article 58 is in the wording of the Law of the Republic of Kazakhstan dated 21.01.2010 № 242-IV (the order of enforcement see Article 2).

## **Article 59. Resolution of disputes in the field of protection, reproduction and use of animal world**

The disputes arising in the field of protection, reproduction and use of animal world shall be resolved in the manner established by the legislation of the Republic of Kazakhstan.

## **Article 60. International cooperation in the field of protection, reproduction and use of animal world**

International cooperation in the field of protection, reproduction and use of animal world shall be carried out in accordance with the legislation of the Republic of Kazakhstan and international treaties.

## **Article 61. The order of enforcement of this Law**

1. This Law shall be enforced from the date of its official publication.
2. Shall be deemed to have lost force:

The Law of the Republic of Kazakhstan from 21 October, 1993 “On protection, reproduction and use of animal world” (Bulletin of the Supreme Council of the Republic of Kazakhstan, 1993, № 18, Article 439; Bulletin of the Parliament of the Republic of Kazakhstan, 1999, № 11, Article 357; 2001, № 3, Article 20; № 24, Article 338);

Regulation of the Supreme Council of the Republic of Kazakhstan from 21 October, 1993 “On order of enforcement of the Law of the Republic of Kazakhstan “On protection, reproduction and use of animal world” (Bulletin of the Supreme Council of the Republic of Kazakhstan, 1993, № 18, Article 440).

The President  
of the Republic of Kazakhstan

