

On Specially Protected Natural Areas

Unofficial translation

The Law of the Republic of Kazakhstan dated 7 July 2006 № 175.

Unofficial translation

Footnote. Through the whole text:

the words “representative bodies of oblast, city of republican significance and the capital”, “executive bodies of oblast, city of republican significance: and the capital”, “executive bodies of oblast (city of republican significance and the capital)”, “representative and executive bodies of oblast (city of republican significance and the capital)”, “representative bodies of Oblast (city of republican significance, the capital), “oblasts (cities of republican significance, the capital)”, “executive bodies of Oblast (city of republican significance, the capital)” and “executive body of oblast (city of republican significance, the capital)” are substituted respectively by the words “representative bodies of oblasts, cities of republican significance, the capital”, “executive bodies of oblasts, cities of republican significance, the capital”, “local executive bodies of oblasts, cities of republican significance, the capital”, “local representative and executive bodies of oblasts, cities of republican significance, the capital”, “Local representative bodies of oblasts, cities of republican significance, the capital”, “oblasts, cities of republican significance, the capital”, “Local executive bodies of oblasts, cities of republican significance, the capital”; words “animals and plants” and “animal and plant” are substituted respectively by the words “plants and animals” and “plant and animal” 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 on creation, expansion, protection, restoration, stable use and management of especially protected natural areas and objects of the state natural conservation fund representing especial environmental, scientific, historical and cultural and recreation value, as well as that are a component part of the national, religious and world environmental network.

CHAPTER 1. MAIN PROVISIONS

Chapter 1. GENERAL PROVISIONS

Article 1. Main definitions used in this Law

1) biological resources – genetic resources, organisms or their parts, populations or other biotic components of environmental systems having a factual or potential usability or value for a mankind;

1-1) biosphere reserve – a state natural reserve, state national natural park or state nature reserve and their protected areas included in the World Network of Biosphere Reserves;

2) sawing of a round wood – cutting of a tree for boards and (or) other products of sawmilling performed on a sawmill equipment;

2-1) traditional land use – the types of agricultural activity historically developed in a given region that do not have a harmful effect on natural complexes, objects of the state natural reserve fund, and also those adapted to this ecological system, which are carried out by owners of land plots or land users;

3) especially protected natural area – fields of land, water objects and air space above them with natural complexes and objects of the state natural conservation fund for which the special protection regime is established;

4) system of especially protected natural areas – a set of especially protected natural areas of various categories and types ensuring representational representation of the sets of all the geographic zones in there;

5) protection of especially protected natural areas (hereinafter – protection) – a set of measures that may be conducted in especially protected natural area for detection and suppression of the breaches of the legislation of the Republic of Kazakhstan in the field of especially protected natural areas, preventions, detections and liquidation of fires;

6) defence of especially protected natural areas (hereinafter – defence) – a set of measures that may be conducted in especially protected natural area for elimination of adverse effect of waters, protection of plants from insects and diseases, regulation of animal numbers;

7) state control in the field of especially protected natural territories – the activity of the authorized body in the field of especially protected natural areas on inspection and supervision of inspected subjects for a subject of conformance of their activity to requirements established by the legislation of the Republic of Kazakhstan in the course of carrying out and following the results of which the measures of legal restriction character may be applied without operative response;

7-1) state supervision in the field of specially protected natural areas - the activities of the authorized body in the field of specially protected natural areas to verify and monitor compliance of the inspected entities with the requirements of the legislation of the Republic of Kazakhstan, in the course of the implementation and as a result of which the law-limiting measures may be applied, including prompt response measures;

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

9) an authorized body in the field of specially protected natural areas (hereinafter referred to as the authorized body) - a state body exercising the functions of management, control and supervision, security and protection of specially protected natural areas;

10) functional zone of especially protected natural areas – the field of especially protected natural area with established regime of protection and use of lands;

11) functional zoning of especially protected natural area – division of especially protected natural area on functional zones for the purpose of establishment of optimal regime of protection and use of objects of the state natural conservation fund;

12) natural scientific rationale – scientific assessment of the practicability of creation or change of boundaries of especially protected natural area performed by specialized scientific (scientific research) and design (design and surveying) organizations;

13) introduction - the intentional or accidental transfer of plant and animal species outside their natural habitat outside their habitat;

14) state natural conservation fund – a set of objects of environment being under state protection that have especial environmental, scientific, historical and cultural, recreation value as a natural samples, unicums and relicts, genetic reserve, subject of scientific researches, enlightenment, education, tourism and recreation;

15) objects of the state natural conservation fund – geological, hydrogeological, hydrological, zoological, botanical and landscape objects and their sets, especially valuable plantings of the state forest fund, wetlands, important bird areas, unique natural water objects or their fields, rare and endangered types of plants and animals, unique objects of plant world having special environmental, scientific, historical and cultural, recreation significance;

16) recreation load – simultaneous quantity of vacationers on a unit area in consideration of a total time of the type of rest for accounting period or for a time unit;

17) nature records – a set of details of system supervisions carried out by scientific subdivisions of the state natural conservations, state national nature parks, state nature reserves and state regional nature parks of conditions of environmental systems and objects of the state natural conservation fund conducted on a single method;

18) natural complexes – a set of objects of biological diversity and inanimate nature subjected to protection;

19) stable use of natural complexes – use of biological resources of the natural complexes in such a manner and tempo that do not lead to depletion of biological diversity in the long-term perspective;

20) environmental organizations – the state natural conservations, state national nature parks, state nature reserves, state regional nature parks created in legal organizational form of the state institution (hereinafter – environmental institutions), and the state botanical gardens, state dendrological parks created in the legal organizational form of the state enterprise;

21) feasibility study – economic, environmental and social assessment of practicability of creation or change of the borders of especially protected natural area performed by specialized scientific (scientific research) and draft (draft survey) organizations;

21-1) coordination council - a consultative and advisory body set up at environmental institutions to ensure transparency in decision-making on the development of tourism and recreation in specially protected natural areas, as well as to improve the management of environmental institutions;

22) ecological corridor – a part of environmental network represented as protected land fields and water objects connecting especially protected natural areas between each other and with other types of the protected natural areas for ensuring of natural migration (distribution) of objects of animate nature and preservation of biological diversity;

23) environmental network – a set of especially protected natural areas of different categories and types linked between each other and with other types of protected natural areas by ecological corridors organized in consideration with natural, historical and cultural, social and economic special aspects of a region.

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 Law of the Republic of Kazakhstan dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 24.05.2018 №. 156-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 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 2. Legislation of the Republic of Kazakhstan in the field of especially protected natural territories

1. The legislation of the Republic of Kazakhstan in the field of especially protected natural areas and objects of the state natural conservation fund is based on the Constitution of the Republic of Kazakhstan, consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. Relations on use and protection of subsoil, waters, forests and other natural resources of especially protected natural areas shall be regulated by special laws of the Republic of Kazakhstan in a part not regulated by this Law.

3. Property relations in the field of especially protected natural territories shall be regulated by the civil legislation of the Republic of Kazakhstan, unless otherwise provided by this Law.

4. If an international treaty ratified by the Republic of Kazakhstan establishes other rules that those contained in this Law, the rules of the international treaty shall be applied.

Article 3. Basic principles in the field of especially protected territories

Basic principles in the field of especially protected natural areas are:

1) development of a system of especially protected natural areas as a base component of environmental network ensuring preservation and restoration of biological diversity, unique and standard type landscapes;

2) state regulation, control and supervision in the field of specially protected natural areas;
3) preservation of the state natural conservation fund and natural environmental systems;
4) use of especially protected natural areas for the purpose of development of science, culture, enlightenment, education, tourism;

5) Excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 №118-VIII (enacted ten calendar days after the date of its first official publication).

6) responsibility for breach of the legislation of the Republic of Kazakhstan in the field of especially protected natural areas;

7) participation of individuals and legal entities in solution of tasks in the field of especially protected natural areas;

8) availability of information in the field of especially protected natural areas;

9) international cooperation in the field of especially protected natural areas;

10) participation of coordination councils in addressing problems pertaining to specially protected natural areas.

Footnote. Article 3 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 the day its first official publication); dated 24.05.2018 № 156-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 08.07.2024 №118-VIII(enacted ten calendar days after the date of its first official publication).

Article 4. Objects of relations in the field of especially protected natural areas

Objects of relations in the field of especially protected natural areas are the natural complexes, as well as the lands of especially protected territories, as well as the objects of the state natural conservation fund being on these lands and lands of other categories.

Article 5. Subjects of relations in the field of especially protected natural areas

Subjects of relations in the field of especially protected natural areas are individuals and legal entities, as well as the state bodies in accordance with their competence established by the Laws of the Republic of Kazakhstan.

Chapter 2. STATE MANAGEMENT, CONTROL AND SUPERVISION IN THE FIELD OF SPECIALLY PROTECTED NATURAL AREAS

Footnote. Title of Chapter 2 as amended by the Law of the Republic of Kazakhstan dated 24.05.2018 № 156-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 28.10.2019

№ 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 6. System of safety ensuring of especially protected natural areas

The system of safety ensuring of especially protected natural areas shall include:

- 1) the Government of the Republic of Kazakhstan;
- 2) authorized body including its department with territorial subdivisions;
- 3) central executive and other state bodies that have jurisdiction over the specially protected natural areas;
- 4) representative bodies of oblasts, cities of republican significance, the capital within their competence determined by this Law and other Laws of the Republic of Kazakhstan and subordinate acts of the Republic of Kazakhstan;
- 5) executive bodies of oblasts, cities of republican significance, the capital within their competence determined by this Law and other Laws of the Republic of Kazakhstan and subordinate acts of the Republic of Kazakhstan;
- 6) environmental organizations;
- 7) individuals and legal entities carrying out the activity in the field of safety ensuring of especially protected natural areas.

Footnote. Article 6 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 (shall be enforced upon expiry of ten calendar days after its first official publication); dated 08.07.2024 №118-VIII (enacted ten calendar days after the date of its first official publication).

Article 6-1. State management in the field of especially protected natural areas

State management in the field of especially protected natural areas shall be carried out by:

- 1) the President of the Republic of Kazakhstan;
- 2) the Government of the Republic of Kazakhstan;
- 3) authorized body including its department with territorial subdivisions;
- 3-1) the central executive body exercising the functions of state administration in the field of tourism activities;
- 4) central executive and other state bodies that have jurisdiction over the specially protected natural areas;
- 5) representative and executive bodies of oblasts, cities of republican significance and the capital within their competence determined by this Law, other Laws of the Republic of Kazakhstan and subordinate acts of the Republic of Kazakhstan.

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);

is in the wording of the Law of the Republic of Kazakhstan dated 05.07.2011 № 452-IV (shall be enforced from 13.10.2011); as amended by the Law of the Republic of Kazakhstan dated 30.04.2021 № 34-VII (shall come into effect ten calendar days after the day of its first official publication); dated 08.07.2024 №118-VIII (enacted ten calendar days after the date of its first official publication).

Article 7. Competence of the Government of the Republic of Kazakhstan

Competence of the Government of the Republic of Kazakhstan shall include:

- 1) development of principal directions of the state policy in the field of especially protected natural areas;
- 2) the right to own, use and dispose the specially protected natural areas of republican significance with the status of a legal entity and objects of the state natural reserve fund of republican significance;
- 3) determination of the authorized body in the field of especially protected natural areas;
 - 3-1) decision-making on the withdrawal of rare and endangered species of plants and animals, their parts or derivatives and approval of the volume of their withdrawal;
- 4) approval of:
 - the list of objects of the state natural conservation fund of the republican significance;
 - order of abolishment of the state nature sanctuaries of republican and local significance and the state preserved areas of republican significance and decrease of their territory;
 - rules of keeping the Red Book of the Republic of Kazakhstan;
 - list of rare and endangered species of plants and animals;
 - the list of specially protected natural areas of national significance;
 - the procedure for transferring land from one category to another in the cases established by parts two and three of paragraph 2 of Article 23 of this Law;
- 5) provision and seizure of land fields, including for state needs from the lands of all categories in cases linked with creation and expansion of especially protected natural areas of republican significance;
- 6) creation and expansion of especially protected natural areas of republican significance;
 - 6-1) transfer of lands of especially protected natural areas into the reserve lands, as well as transfer of reserve lands back to the lands of especially protected natural areas at the proposal of the authorized body in cases established by parts two and three of paragraph 2 of Article 23 of this Law;
 - 6-2) abolishment of the state nature sanctuaries of republican significance and the state preserved areas of republican significance and decrease of their territory upon a suggestion of the authorized body on the basis of favourable conclusion of the state environmental examination for a natural scientific rationale;
 - 6-3) 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 the day its first official publication);

6-4) assignment of scientific natural objects of the status "Scientific natural object is a national treasure";

7) international cooperation in the field of especially protected natural areas;

8) exercise other powers provided by the Constitution, Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Article 7 as amended by the Laws of the Republic of Kazakhstan dated 09.01.2007 № 213 (the order of enforcement see Article 2); dated 01.12.2008 № 94-IV (the order of enforcement see Article 2); dated 21.01.2010 №242-IV (the order of enforcement see Article 2); dated 20.07.2011 № 464-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 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 the date of its first official publication); dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after the day 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 30.09.2020 № 362-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication) ; dated 24.11.2021 № 75-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 8. Competence of the authorized body, department of the authorized body and its territorial divisions

Footnote. Title as amended by the Law of the Republic of Kazakhstan dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Competence of the authorized body shall include:

1) cross-sector coordination of activity of the state bodies in the field of especially protected natural areas;

1-1) carrying out of coordination and methodological guideline of the local executive bodies in the field of especially protected natural areas;

2) implementation of the state policy in the field of especially protected natural areas;

3) development and entering for approval of the list of objects of the state natural conservation fund of republican significance to the Government of the Republic of Kazakhstan;

4) making proposals for the creation and expansion of especially protected natural areas of republican significance;

4-1) development of order and making proposals on abolishment of the state nature sanctuaries of republican and local significance and the state preserved areas of republican significance and decrease of their territory;

4-2) making proposals for the transfer of lands of especially protected natural areas into the reserve lands, as well as for the transfer of reserve lands back to the lands of especially protected natural areas in cases established by parts two and three of paragraph 2 of Article 23 of this Law;

4-3) development of rules for maintaining The Red List of the Republic of Kazakhstan;

4-4) making proposals for awarding a scientific natural object the status of "Scientific natural object is a national treasure";

5) development and approval of regulatory legal acts in the field of especially protected natural areas;

5-1) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

5-2) is excluded by the Law 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);

5-3) is excluded 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);

6) approval of:

the size of tariffs for services provided by specially protected natural areas of republican significance with the status of a legal entity under its jurisdiction, in accordance with the legislation of the Republic of Kazakhstan;

order of development of the drafts of natural scientific and feasibility study on creation and expansion of especially protected natural areas, as well as correction of the feasibility study;

projects of natural science and feasibility studies on the creation and expansion of specially protected natural areas of republican significance, which are under its jurisdiction, ecological corridors;

drafts of correction of feasibility study of especially protected natural areas of republican significance;

symbolics (emblem and flag) of an environmental organization, as well as order of development and use of symbolics (emblem and flag) of the environmental institution;

provisions of environmental institutions being under its jurisdiction;

volume of fishing on water objects included into the composition of especially protected natural areas with a status of a legal entity;

border and type of regime of protection of territories of the state nature monuments of republican significance;

rules of amateur (sports) fishery permitted for the needs of local population in case provided by paragraph 1 of Article 43-1 of this Law;

a list of international and state organizations, non-governmental organizations and funds, providing grants for the conservation of biodiversity and the development of especially protected natural areas;

6-1) development and approval of:

rules for development and registration (re-registration) of passports of specially protected natural areas of republican and local significance;

rules for developing a management plan for an environmental organization;

rules for visiting specially protected natural areas by individuals;

rules for reclamation fishing carried out in the case provided for in paragraph 2 of Article 43-1 of this Law;

rules of encouragement and the procedure for assignment of honorary titles, badges and certificates of honor in the field of specially protected natural areas;

rules for organization and conduct of scientific activities and scientific research in environmental institutions;

composition and position of interdepartmental botanical and zoological commissions;

model regulations on the coordination council;

rules for classification of specially protected natural areas as biosphere reserves;

rules for amateur (sport) fishing, reclamation fishing, research fishing, fishing for reproductive purposes on water bodies that are part of specially protected natural areas with the status of a legal entity;

rules for development of projects of natural science substantiation of the abolition of state natural reserves of republican and local significance and state protected areas of republican significance and reducing their territory;

rules for maintaining the state cadastre of especially protected natural areas;

rules for determining scientific natural objects subject to the status of "Scientific natural object is a national treasure";

7) Excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 №118-VIII (enacted ten calendar days after the date of its first official publication).

8) 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);

9) organization of development of drafts of natural scientific and feasibility study on creation and expansion of especially protected natural areas of republican significance being under its jurisdiction, ecological corridors and their approval;

10) organization of development and approval of management plans of especially protected natural areas being under its jurisdiction;

11) management of specially protected natural areas under its jurisdiction, ensuring activities for the protection, protection and restoration of natural complexes;

- 12) organization of scientific activity and scientific research in specially protected natural areas of republican significance;
- 13) maintenance of the state cadastre of especially protected natural areas;
- 14) coordination of the list of objects of the state natural conservation fund of local significance upon the recommendation of local executive bodies of oblasts, cities of republican significance, the capital;
- 14-1) development and approval of the rules for the implementation of tourism and recreational activities in state national natural parks in agreement with the central executive body performing the functions of state administration in the field of tourism activities;
- 14-2) 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 the day its first official publication);
- 14-3) is excluded 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);
- 15) exercise state control and supervision over the state, security, protection and use of specially protected natural areas and objects of the state natural reserve fund;
- 16) development and approval of the samples of official uniform with badges of rank (without shoulder straps), procedure for wearing and supply standards of the state inspectors of environmental institutions;
- 16-1) development of the list of specially protected natural areas of national significance;
- 16-2) is excluded by the Law of the Republic of Kazakhstan dated 24.11.2021 № 75-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication);
- 16-3) 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 the day its first official publication);
- 16-4) is excluded by the Law of the Republic of Kazakhstan dated 24.11.2021 № 75-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).
- 16-5) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);
- 16-6) development of a procedure for transferring lands from one category to another in cases established by parts two and three of paragraph 2 of Article 23 of this Law;
- 16-7) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);
- 16-8) development of the list of rare and endangered species of plants and animals;

17) coordination of general schemes of organizing the territory of the Republic of Kazakhstan, multiregional schemes of territorial development, complex schemes of urban planning and other urban planning documentation within the competence;

18) carrying out of international cooperation and realization of international treaties in the field of especially protected natural territories;

18-1) ensuring free access to open information in the field of specially protected natural areas and objects of the state natural reserve fund under its jurisdiction, development of an ecological network in accordance with the Law of the Republic of Kazakhstan "On Access to Information";

19) 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);

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

The department of the authorized body and its territorial subdivisions carry out their activities within the competence established by the authorized body.

Footnote. Article 8 as amended by the Laws of the Republic of Kazakhstan dated 01.12.2008 № 94-IV (order of enforcement see Article 2); dated 17.07.2009 №188 (order of enforcement see Article 2); dated 21.01.2010 №242-IV (order of enforcement see Article 2); dated 19.03.2010 №258-IV; dated 06.01.2011 №378-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 20.07.2011 №464-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 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 the date of its first official publication); dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 24.05.2018 № 156-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); № 362-VI dated 30.09.2020 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 30.04.2021 № 34-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 24.11.2021 № 75-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 8-1. Competence of the central executive body performing the functions of state administration in the field of tourism activities

The competence of the central executive body performing the functions of state administration in the field of tourism activities shall include:

- 1) implementation of the state policy for the development of tourism on the territory of state national natural parks;
- 2) participation in the development of master plans for the development of the infrastructure of state national parks;
- 3) attracting investments in the development of tourism and recreation infrastructure;
- 4) exercise of other powers provided for by this Law, other laws, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. The law is supplemented by Article 8-1 in accordance with the Law of the Republic of Kazakhstan dated 30.04.2021 № 34-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 9. Competence of the central executive bodies the jurisdiction of which includes especially protected natural areas

Within the competence, the central executive bodies the jurisdiction of which includes especially protected natural areas shall:

- 1) prepare and make proposals to the authorized body on list of the objects of the state natural conservation fund, development of a system of especially protected natural areas and environmental networks;
- 2) organize development of designs of natural scientific and feasibility study in the manner established by the legislation of the Republic of Kazakhstan on creation and expansion of especially protected natural areas being under their jurisdiction with ensuring of conducting state environmental examination and the following introduction of these studies for approval of the authorized body;
- 3) develop and approve the passports of especially protected natural areas being under their jurisdiction in concurrence with the authorized body, carry out registration (reregistration) of the passports in the authorized body;
- 4) organize development and approve management plans of especially protected areas being under their jurisdiction in concurrence of the authorized body;
- 5) carry out administration of especially protected natural areas being under their jurisdiction, ensure conduct of their protection, defence and restoration, as well as scientific researches;
- 6) participate in maintenance of the state cadastre of especially protected natural areas;
- 6-1) make proposals to the authorized body on assigning scientific natural objects the status of "Scientific natural object is a national treasure";

6-2) provide free access to open information in the field of specially protected natural areas and objects of the state natural reserve fund under their jurisdiction, in accordance with the Law of the Republic of Kazakhstan "On Access to Information";

7) *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);*

8) exercise other powers provided by the Laws, acts of the president of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 9 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 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 9-1. Competence of state bodies that have jurisdiction over specially protected natural areas

State bodies, that have jurisdiction over specially protected natural areas, within their competence shall:

1) prepare and submit proposals to the authorized body on the list of objects of the state natural reserve fund, development of the system of specially protected natural areas and ecological networks;

2) organize in the order established by the legislation of the Republic of Kazakhstan the development of projects of natural-scientific and feasibility studies on creation and expansion of specially protected natural areas under their jurisdiction with provision of state ecological expertise and subsequent submission of these studies for approval of the authorized body;

3) develop and approve in coordination with the authorized body the passports of specially protected natural territories under their jurisdiction, carry out registration (re-registration) of passports with the authorized body;

4) organize the development and approve, in coordination with the authorized body, management plans of specially protected natural areas under their jurisdiction;

5) exercise management of specially protected natural areas under their jurisdiction, ensure their protection, defense and restoration, as well as scientific research;

6) participate in maintaining the state cadastre of specially protected natural areas;

7) submit proposals to the authorized body on granting scientific natural objects the status of "Scientific natural object - national heritage";

8) provide free access to open information in the field of specially protected natural territories and objects of the state natural reserve fund under their jurisdiction in accordance with the Law of the Republic of Kazakhstan "On Access to Information";

9) approve the amount of tariffs for services provided by nature protection institutions in specially protected natural territories of republican significance under their jurisdiction, in accordance with the legislation of the Republic of Kazakhstan;

10) exercise other powers provided under the laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. The Law was supplemented by Article 9-1 by the Law of the Republic of Kazakhstan dated 08.07.2024 №118-VIII (enacted ten calendar days after the date of its first official publication).

Article 10. Competence of local representative and executive bodies of oblasts, cities of republican significance, the capital

1. Within the competence, the local representative bodies of oblasts, cities of republican significance, the capital shall:

1) approve the costs for creation and functioning of especially protected natural areas of local significance in a composition of local budgets;

1-1) excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 №118-VIII (enacted ten calendar days after the date of its first official publication).

2) hear reports of heads of executive bodies on a condition and activity of especially protected natural areas of local significance being in their jurisdiction, as well as on the issues of preservation of the objects of the state natural conservation fund;

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

2. Within the competence, the local executive bodies of oblasts, cities of republican significance, the capital shall:

1) make proposals to the authorized body on list of the objects of the state natural conservation fund of republican significance, development of a system of especially protected natural areas and environmental networks, creation and expansion of especially protected natural areas of republican and local significance;

1-1) implement the state policy in the field of especially protected natural areas;

2) organize development and ensure conduct of the state environmental examination of natural scientific and feasibility study on creation and expansion of especially protected natural areas of local significance;

3) approve the list of objects of the state natural conservation fund of local significance, natural scientific and feasibility study on creation and expansion of especially protected natural areas of local significance;

4) adopt decisions on creation and expansion of especially protected natural areas of local significance in concurrence with the authorized body;

5) approve the designs of correcting the functioning zoning of especially protected natural areas of local significance upon favourable conclusion of the state environmental examination ;

6) develop and approve the management plans of especially protected natural areas being under their jurisdiction, ensure conduct of their protection, defence and restoration, as well as scientific researches;

7) approve tariff rates for the services rendered by especially protected natural areas of local significance with a status of a legal entity;

8) participate in maintenance of the state cadastre of especially protected natural areas;

9) develop and approve the passports of especially protected natural areas being under their jurisdiction in concurrence with the authorized body, and represent the passports for registration (reregistration) to the authorized body;

10) adopt decisions on reservation of lands for creation of especially protected natural areas of all the types;

11) adopt decisions on establishment of protective zones of especially protected natural areas of all the types with restriction within these zones of activity having an adverse effect on condition of environmental systems of these territories, ecological corridors, as well as regime of their protection and use;

12) exercise state control and supervision over the state, security, protection and use of specially protected natural areas and objects of the state natural reserve fund, which are under their jurisdiction;

13) approve the borders and type of protection regime of a territory of the state nature monuments of local significance;

14) excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 №118-VIII (enacted ten calendar days after the date of its first official publication).

15) abolish the state nature sanctuaries of local significance and decrease their territories;

15-1) use land plots inside the state nature preserves of national significance obeying the established regime;

15-2) carry out the transfer of reserve lands back to the lands of especially protected natural areas at the proposal of the department of the authorized body in the case established by part three of paragraph 2 of Article 23 of this Law;

15-3) provide free access to open information in the field of specially protected natural areas and objects of the state natural reserve fund of local importance, the development of an ecological network in accordance with the Law of the Republic of Kazakhstan "On Access to Information";

16) exercise the other powers in favor of local state management imposed on local executive bodies by the legislation of the Republic of Kazakhstan.

Footnote. Article 10 as amended by the Laws of the Republic of Kazakhstan dated 10.12.2008 № 101-IV (shall be enforced from 01.01.2009); 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 the date of its first official publication); dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 24.05.2018 № 156-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 30.09.2020 № 362-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication); dated 19.04.2023 № 223-VII (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 08.07.2024 № 118-VIII (enacted ten calendar days after the date of its first official publication).

Article 11. State control and supervision in the field of specially protected natural areas

Footnote. The title of Article 11 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).

1. State control and supervision in the field of specially protected natural areas are aimed at ensuring compliance with the legislation of the Republic of Kazakhstan in the field of specially protected natural areas by individuals and legal entities, as well as state bodies.

2. State control and supervision over the state, security, protection and use of specially protected natural areas and objects of the state natural reserve fund are carried out by the authorized body.

3. State control over compliance with the environmental requirements in the field of protection, preservation, reproduction and use of objects of the state natural reserve fund shall be carried out by the authorized state body in the field of environmental protection.

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 24.05.2018 № 156-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 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 3. RIGHTS AND OBLIGATIONS OF INDIVIDUALS AND LEGAL ENTITIES IN THE FIELD OF ESPECIALLY PROTECTED NATURAL AREAS

Article 12. Rights and obligations of individuals in the field of especially protected natural areas

1. Individuals shall have the right to:

- 1) use especially protected natural areas in the manner established by the authorized body;
- 2) make proposals to the authorized body on the issues of especially protected natural areas;
- 3) participate jointly with environmental organizations in the measures on protection, defence, restoration and use of objects of the state natural conservation fund;
- 4) create funds the activity of which is oriented to development of especially protected natural areas, and participate in their activity in accordance with the legislation of the Republic of Kazakhstan;
- 5) request and receive necessary information from the relevant state bodies concerning the issues of condition and functioning of especially protected natural areas and environmental networks.

2. Individuals shall be obliged to comply with the legislation of the Republic of Kazakhstan in the field of especially protected natural areas.

Footnote. Article 12 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 13. Rights and obligations of legal entities

1. Legal entities shall have the right to:

- 1) make proposals to the authorized body and participate in preparation of the lists of objects of the state natural conservation fund, natural scientific and feasibility study on creation and expansion of especially protected natural areas, development of the regulatory legal acts in the field of especially protected natural areas;
- 2) conduct public environmental examination of designs in the field of especially protected natural areas and environmental networks in the manner established by the legislation of the Republic of Kazakhstan;
- 3) participate in measures on protection, defence, restoration and use of objects of the state natural conservation fund under a contract with environmental organizations;
- 4) create funds the activity of which is oriented to representation of financial assistance for development of especially protected natural areas, in accordance with the legislation of the Republic of Kazakhstan and participate in their activity and management;
- 5) request and receive necessary information from the relevant state bodies concerning the issues of functioning, protection, defence and use of especially protected natural areas and environmental networks;
- 6) participate in the work of scientific, technical and coordinating councils of environmental organizations.

2. Legal entities which activity is aimed at the development of specially protected natural areas, specializing in the provision of grants, financial and technical assistance for the

development of specially protected natural areas, shall be included in the list of international and state organizations, non-governmental organizations and funds that provide grants for the conservation of biodiversity and development of especially protected natural areas.

3. Legal entities shall be obliged to carry out own activity in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 13 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 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.11.2021 № 75-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Chapter 4. CREATION OF ESPECIALLY PROTECTED NATURAL AREAS

Article 14. Categories and types of especially protected natural areas

1. Especially protected natural areas shall relate to the category of republican or local significance depending on importance of objects of the state natural conservation fund.

2. Depending on the purposes of creation and type of protection regime, the following types of especially protected natural areas of republican significance shall be divided into:

- 1) state natural conservations;
- 2) state national nature parks;
- 3) state nature reserves;
- 4) state zoological parks;
- 5) state botanical gardens;
- 6) state dendrological parks;
- 7) state nature monuments;
- 8) state nature sanctuaries;
- 9) state preserved areas.

3. Depending on purposes of creation and type of protection regime, the following especially protected natural areas of local significance shall be allocated:

- 1) state regional nature parks;
- 2) state zoological parks;

3) excluded by the Law of the Republic of Kazakhstan dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication);

- 4) state dendrological parks;
- 5) state nature monuments;
- 6) state nature sanctuaries.

4. Legislative acts of the Republic of Kazakhstan may provide the other types of especially protected natural areas.

5. Referring especially protected natural areas to the category of republican significance shall be carried out by the Government of the Republic of Kazakhstan upon recommendation of the authorized body, to the category of local significance – by local executive bodies of oblasts, cities of republican significance, the capital in concurrence with the authorized body.

6. Rezoning of especially protected area with a status of a legal entity from one type to another leading decrease of its status shall be carried out upon partial or full loss of its special value and unique character in a result of emergency situation of natural and (or) technogenic character.

Decision on rezoning of especially protected natural area with a status of a legal entity from one type to another leading decrease of its status or increase, shall be adopted on the basis of the favourable conclusion of the state environmental examination of natural scientific rationale:

1) on especially protected natural area of republican significance – by the Government of the Republic of Kazakhstan upon recommendation of the authorized body;

2) on especially protected natural area of local significance – by the local executive body of oblast, city of republican significance, the capital in concurrence with the authorized body.

The transfer of specially protected natural territories from the category of "republican significance" to the category of "local significance" shall be prohibited.

Footnote. Article 14 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 the day 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 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 15. Legal status of environmental institutions

1. State natural conservations, state national nature parks, state nature reserves, state regional nature parks are the legal entities and shall be created in the form of the state institution.

2. Land fields shall be provided to environmental institutions on the basis of the right of permanent land use.

3. Buildings (structures and constructions), historical and cultural and other immovable objects located in especially protected natural areas shall be transferred to environmental institutions on the basis of the right of operative management.

4. Reorganization of environmental institution shall be made in accordance with the civil legislation of the Republic of Kazakhstan.

Article 16. Legal status of environmental organizations created in the form of the state enterprise

1. State zoological parks, state botanical gardens and state dendrological parks are the legal entities and shall be created in the form of the state enterprise.

2. Land fields shall be provided to environmental organizations created in the form of the state enterprise on the right of permanent land use.

3. Buildings (structures and constructions), historical and cultural and other immovable objects located in especially protected natural areas shall be transferred to environmental organizations created in the form of the state enterprise on the right of economic management or operative management.

4. Environmental organizations created in the form of the state enterprise shall be liable for their obligations by money being at their disposal.

Levy of execution on the rest property of environmental organizations created in the form of the state enterprise shall not be allowed.

5. Reorganization of environmental organizations created in the form of the state enterprise shall be carried out in accordance with the civil legislation of the Republic of Kazakhstan.

Article 17. Legal status of especially protected natural areas without a status of a legal entity

1. State nature monuments, state nature sanctuaries and state preserved areas shall not have a status of a legal entity and shall be under the state protection.

Right of operative management of immovable property being in the state ownership in especially protected natural area that is not a legal entity shall be transferred to the environmental institution or state institution of forest management the jurisdiction of which includes the especially protected natural area.

2. State protected areas and state nature sanctuaries of republican and local significance shall be subject to exclusion from the lists of especially protected natural areas of republican or local significance upon creation of the state natural conservations, state national nature parks, state nature reserves, state regional nature parks on their base, as well as upon abolishment of the state nature sanctuaries and state protected areas of republican significance under decision of the Government of the Republic of Kazakhstan.

Footnote. Article 17 as amended by the Laws of the Republic of Kazakhstan dated 21.1.2010 № 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).

Article 18. Protective zones of the state natural conservations, state national nature parks, state nature reserves and state regional nature parks

1. For ensuring of special protection and defence from unfavourable external influence around and on the lands of the owners of land fields and land users being in the range of the state natural conservations, state national nature parks, state nature reserves and state regional nature parks, the protective zones with a prohibition and (or) restriction of any activity within these zones having an adverse effect on condition and restoration of environmental data systems of especially protected natural areas and objects of the state natural conservation fund located on them shall be established.

2. Sizes, borders, types of regime and order of natural management in the territory of protective zones of the state natural conservations, state national nature parks, state nature reserves and state regional nature parks shall be determined with natural scientific and feasibility study on their creation and shall be established by decisions of local executive bodies of oblasts, cities of republican significance, the capital in accordance with this Law and the Land Code of the Republic of Kazakhstan.

By this, the width of a protective zone that is established according to the borders of land fields of the owners and land users or according to the natural geographic boundaries and that is designated by special signs afield shall be no less than two kilometers.

Footnote. Article 18 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 19. Symbolics (emblem and flag) of environmental organizations

Footnote. 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. Environmental organizations shall have own symbolics (emblem and flag).

2. Environmental organizations shall have an exclusive right for use of own symbolics (emblem and flag) and may permit its use to individuals and legal entities on a paid basis.

Footnote. Article 19 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 20. Creation or expansion of especially protected natural areas

1. The decision to create or expand a specially protected natural area shall be made based on natural science and feasibility studies that have received positive conclusions from the state environmental review.

Development of designs of natural scientific and feasibility study on creation or expansion of especially protected natural area, as well as their correction shall be carried out in two

stages by the specialized scientific (scientific and research) and design (design and survey) organizations in the manner established by the authorized body.

In order to make decisions on the transfer of reserve lands back to the lands of especially protected territories in accordance with part three of paragraph 2 of Article 23 of this Law, the development of projects of natural science and feasibility studies shall not be required.

2. At the first stage, the natural scientific rationale shall be developed on creation or expansion of especially protected natural area that shall determine:

- 1) unique character, significance and representativity of natural complexes of the researched territory and objects of the state natural conservation fund located on it;
- 2) assessment of a state of social and economic conditions on a researched territory;
- 3) condition of environmental systems and objects of the state natural conservation fund on a researched territory, risk, threat of preservation and measures on their protection, defence, restoration and use;
- 4) recommended category and type of especially protected natural area;
- 5) recommended borders, squares, as well as functional zones and type of their regime of protection and use.

3. At the second stage, on the basis of natural scientific rationale approved by the authorized body or coordinated with it, the feasibility study on creation or expansion of especially protected natural area shall be developed including:

1) land use planning of land allocation of especially protected natural area with description of its borders, coordinates, category and area of land fields of the owners and land users withdrew (compulsory allocated) to the composition of especially protected natural area, category and area of the land fields of the owners and land users included into the composition of the especially protected natural areas without withdrawal, as well as borders and areas of protective zone;

2) expenses linked with a redemption of land fields from the owners and land users and (or) coverage of losses on their withdrawal, restriction of economic activity in protective zones, as well as in cases of creation of especially protected natural areas without withdrawal of lands;

3) expenses for creation of infrastructure and content of especially protected natural area, performance of measures on protection, defence and restoration of objects of the state natural conservation fund;

4) functional zoning of especially protected natural area, type of protection regime and conditions of regulated tourist, recreation and restrictive economic use of natural complexes within the established functional zones with determining the standards of recreation loads;

5) draft plan for a specially protected natural area and its infrastructure (master plan of infrastructure development): locations of tourist trails, observation platforms, bivouac areas, parking lots for vehicles, including those with electric charging stations in places with access to electrical networks, campsites, tent camps, hotels, motels, tourist bases, catering, trade and

other cultural and household facilities, pipelines, power lines and communications, roads, taking into account ecotourism development.

3-1. Water bodies and/or segments, that are used or can be used for fishing or are important for the reproduction of fish stock and other aquatic animals, are included into specially protected natural areas with account of the rights and legitimate interests of persons, whom these water bodies and (or) segments are assigned to.

4. Feasibility study shall be coordinated with the owners of land fields and land users, local executive bodies of oblasts, cities of republican significance, the capital and approved in the manner established by this Law.

Footnote. Article 20 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 the day its first official publication); dated 30.09.2020 № 362-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication); dated 18.07.2024 № 126-VIII (enacted sixty calendar days after the date of its first official publication).

Article 21. Development programs of a system of especially protected natural territories and environmental networks

Footnote. Article 21 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).

Article 22. Lands of especially protected natural areas

1. Lands of especially protected natural areas shall include the lands of the state natural conservations, state national nature parks, state nature reserves, state regional nature parks, state zoological parks, state botanical gardens, state dendrological parks and state nature monuments.

2. Upon creation of state natural conservations, state national nature parks, state nature reserves, state regional nature parks, state zoological parks, state botanical gardens, state dendrological parks and state nature monuments, the land fields shall be allocated from among the other land categories and shall be rezoned to the category of especially protected natural areas by their withdrawal from the owners of land fields and land users.

3. Land fields of state protected areas and state nature sanctuaries, protective zones of the state natural conservations, state national nature parks, state regional nature parks, state national reserves shall be allocated in composition of other land categories without their

withdrawal from the owners of land fields and land users and without changing the land category.

Restriction of any activity within the territory of state protected areas and state nature sanctuaries having an adverse effect on condition and restoration of environmental data systems of especially protected natural areas and objects of the state natural conservation fund being in there shall be introduced as charging the land fields of the owners of land fields and land users and shall be recorded in a land surveying.

4. Decisions on referring the land fields to the category of the lands of especially protected natural areas shall be made for:

1) for especially protected natural area of republican significance – by the Government of the Republic of Kazakhstan upon recommendation of the authorized body;

2) for especially protected natural area of local significance – by local executive bodies of oblasts, cities of republican significance, the capital in concurrence with the authorized body.

In case of creation of the state regional nature park in the lands of the state forest fund, the decision on referring the fields of these lands to the category of the lands of especially protected natural areas shall be made by local executive bodies of oblasts, cities of republican significance, the capital on the basis of the decision of the Government of the Republic of Kazakhstan on rezoning the lands of the state forest fund.

5. Withdrawal of the land fields for creation and expansion of the state natural conservations, state national nature parks, state nature reserves, state regional nature parks, state zoological parks, state botanical gardens, state dendrological parks and state nature monuments shall be carried out in accordance with the Land Code of the Republic of Kazakhstan and the Law of the Republic of Kazakhstan “On state property”, by this in case of termination of the right of property to immovable property, the withdrawal of a property from the owner shall be carried out in accordance with the civil legislation of the Republic of Kazakhstan.

6. Natural complexes shall be withdrawn in full or in part, on a continuing basis or for a specified term from economic operation and shall be used considering their especially environmental, scientific, historical and cultural, recreational significance on conditions of payment, with the exception of the state nature sanctuaries and state protected areas in the manner established by this Law.

Footnote. Article 22 as amended by the Laws of the Republic of Kazakhstan dated 10.12.2008 № 101-IV (shall be enforced from 01.01.2009); dated 01.03.2011 № 414-IV (shall be enforced from the date of its first official publication); dated 25.01.2012 № 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 23. Legal regime of the lands of especially protected natural areas

1. Lands of specially protected natural areas, as well as land plots of other categories of lands occupied by objects of the state natural reserve fund, shall belong to the people of

Kazakhstan and shall not be subject to alienation. On behalf of the people of Kazakhstan, the right of ownership shall be exercised by the state. Herewith, the implementation of property right by the state shall be realized through the state property regime in the interests of the people of Kazakhstan.

2. Withdrawal of the lands of especially protected natural areas shall not be allowed.

The transfer of lands of especially protected natural areas shall not be allowed, except for cases of transfer to the lands of the reserve by decision of the Government of the Republic of Kazakhstan in the presence of a positive conclusion of the state environmental expertise in the manner determined by the Government of the Republic of Kazakhstan:

1) for the construction, arrangement, operation of objects of the State Border of the Republic of Kazakhstan and objects for the needs of defence in the absence of other options for their possible placement;

2) for the construction and operation of water facilities of particular strategic importance, in the absence of other options for their possible placement, and only for those land plots on which a regime of limited economic activity is established;

3) for the extraction of solid minerals (with the exception of common minerals) in accordance with paragraph 1 of Article 84-2 of this Law, and only those land plots on which a regime of limited economic activity is established;

4) for the construction of engineering infrastructure for tourism facilities (roads, power lines, pipelines).

The basis for the transfer of lands of especially protected natural areas into reserve lands in accordance with subparagraph 3) of part two of this paragraph for the extraction of solid minerals shall be the discovery of a subsoil plot located within the exploration site or geological allotment under an exploration contract or license for exploration of a deposit of solid minerals, the resources and reserves of which are confirmed by an assessment report of resources and reserves of solid minerals in accordance with the legislation of the Republic of Kazakhstan on subsoil and subsoil use.

When transferring lands of especially protected natural areas in accordance with subparagraph 3) of part two of this paragraph for the purpose of mining solid minerals, the conditions for starting mining operations shall be:

1) acceptance by the subsoil user of obligations for compensatory planting of forest crops in two times the size of the area of the transferred site in agreement with the authorized body in the field of especially protected natural territories, as well as to ensure the restoration of the fertile layer of the solid mineral extraction site upon completion of work;

2) conducting an environmental impact assessment;

3) availability of a positive conclusion of the state ecological expertise;

4) holding broad public hearings in the relevant administrative-territorial units and settlements of the location of especially protected natural areas with coverage in the mass media.

In this case, the transfer of the land plot to third parties or as a pledge shall not be allowed

Lands of especially protected natural areas transferred to reserve lands shall be transferred back to the lands of especially protected natural areas if they are not transferred to other categories of lands within one year from the date of the decision on their transfer to reserve lands,. The transfer of reserve lands to the lands of especially protected natural areas shall be carried out in the presence of a positive conclusion of the state environmental expertise and a decision of:

- 1) the Government of the Republic of Kazakhstan at the proposal of the authorized body, agreed with the local executive body of the region, city of republican significance, the capital, - for an especially protected natural area of republican significance;
- 2) the local executive body of the region, the city of republican significance, the capital at the proposal of the department of the authorized body - for an especially protected natural area of local significance.

The transfer of reserve lands back to the lands of especially protected natural areas shall be carried out in accordance with the rules approved by the Government of the Republic of Kazakhstan.

2-1. Especially protected natural areas may be used for scientific, cultural, educational, touristic, recreation and restrictive economic purposes in the manner and in terms provided by this Law.

2-2. Plots of specially protected natural areas in the zone of limited restricted activity, which are suitable for haymaking and livestock grazing, may be provided for short-term use for haymaking and livestock grazing according to the procedure established by the Forest Code of the Republic of Kazakhstan.

3. Any activity being inconsistent with intended purpose in the lands of especially protected natural areas shall be prohibited.

Footnote. Article 23 as amended by the Laws of the Republic of Kazakhstan dated 01.12.2008 № 94-IV (the order of enforcement see Article 2); dated 01.03.2011 № 414-IV (shall be enforced from the date of its first official publication); dated 20.07.2011 № 464-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 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 20.02.2017 № 48-VI (shall be enforced upon expiry of ten calendar days after the day 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); № 362-VI dated 30.09.2020 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 02.01.2021 № 399-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated

05.11.2022 № 157-VII (shall come into effect ten calendar days after the day of its first official publication).

Article 24. Reservation of lands for creation and expansion of especially protected natural areas

1. In accordance with natural scientific rationales approved by the local executive bodies of oblasts, cities of republican significance, the capital, the decisions on reserving the land fields shall be made, intended for creation and expansion of especially protected natural areas of republican and local significance in the manner established by the Government of the Republic of Kazakhstan.

2. Reservation of lands for especially protected natural areas shall be carried out without withdrawal of lands from the owners of land fields and land users.

Before transferring into composition of the lands of especially protected natural areas, the reserved lands shall be used by previous state or non-state land users and owners of land fields in the manner established by the legislation of the Republic of Kazakhstan.

3. Economic activity of the owners of land fields and land users in a reserve territory for the purpose of ensuring the preservation of objects of the state natural conservation fund may be restricted before making decision on creation or expansion of especially protected natural area. By this, the owners of land fields and land users shall have the right to compensation for losses of agricultural and forestry production in a result of restriction of economic activity in reserved land fields.

4. Compensation for losses to the owners of land fields and land users occurred in a result of restriction of economic activity in reserved land fields intended for creation or expansion of especially protected natural areas shall be carried out in accordance with the budget legislation of the Republic of Kazakhstan.

5. Upon creation or expansion of especially protected natural areas within the borders of cities, the reservation of lands shall be carried out considering the general plans approved in established manner or by making necessary amendments and supplements into the current general plans, urban planning regulations and state urban planning cadaster of basic level.

Footnote. Article 24 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 25. Passport of especially protected natural area

1. State bodies the jurisdiction of which includes especially protected natural areas shall make a passport of a standard form of each such territory and register it in the authorized body.

Each copy of registered passport is original.

Rules of development and registration (reregistration) of passports of especially protected natural areas of republican and local significance shall be approved by the authorized body.

2. Passport of especially protected natural area shall include:

- 1) the name of especially protected natural area, its type and category;
- 2) the name, number and date of passing the act of the state body that created or expended the especially protected natural area;
- 3) the name of the state body the jurisdiction of which includes especially protected natural area;
- 4) the name of an organization imposed by a duty to protect especially protected natural area that doesn't have a status of legal entity;
- 5) location of especially protected natural area with an index map with identifying touristic infrastructure, geographical coordinates, description of borders, surface of territory and protective zone;
- 6) list of objects of the state natural conservation fund being in especially protected natural area with their quantitative and qualitative characteristics;
 - 6-1) the presence of objects of a specially protected natural area of the status "Scientific natural object is a national treasure";
- 7) functional zones of especially protected natural areas and a type of regime of their protection, details on allied owners of land fields and land users, their obligations and impairments on natural management in a protective zone;
- 8) permitted and prohibited types of activity, as well as restrictions of separate types of activity in especially protected natural areas;
- 9) the rules of visiting, regime of work, recreation load.

3. Passport of an environmental organization shall be kept in the environmental organization, state body the jurisdiction of which includes this environmental organization, and in the authorized body.

Passport of the state nature monuments, state nature sanctuaries, state protected areas shall be kept in organization imposed by a duty to protect the mentioned types of especially protected natural areas, in the state body the jurisdiction of which includes this organization, and in the authorized body.

4. In case of change of intended purpose, reorganization, expansion of especially protected natural area, its passport shall be reregistered.

Footnote. Article 25 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 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 26. Management plan of environmental organization

1. Environmental organizations shall carry out their activity in accordance with the management plan approved by the state body under the jurisdiction of which they are, upon favourable conclusion of environmental examination.

Management plan of an environmental organization shall be developed for a five years period in accordance with the rules approved by the authorized body.

2. Management plan of an environmental organization shall include:

1) analysis of changing natural and socially economic conditions for the previous period;

2) assessment of activity of an environmental organization for the previous period;

3) measures on each type of environmental, ecological and educational, scientific, touristic, recreation and restrictive economic activity of an environmental organization for the previous period;

4) the section for especially protected natural areas created in the lands of the state forest fund wherein full assessment of a forest management and forest use is given for the previous period and measures being under development on protection, defence, reproduction and care of these forest fields for the following period;

5) mechanisms of realizing a management plan by improvement of control structure, regulatory framework, provision of personnel and raising of their qualification, interaction with a local population and local representative and executive bodies.

3. Development of a management plan by an environmental organization shall be provided by the state body under the jurisdiction of which it is.

Article 27. State cadastre of especially protected natural areas

1. State cadastre of especially protected natural areas shall contain a data system on a legal status of such territories, their location, sizes and borders, geographical coordinates, quantitative and qualitative characteristics of the objects of the state natural conservation fund, environmental, scientific, historical and cultural, recreation value, regime types of protection, intended purpose and permitting types of activity.

2. Data of the state cadastre of especially protected natural areas are the ground for formation of environmental network and are used upon planning of a rational land use and placement of production forces of the regions in consideration of preservation of biological diversity, unique natural landscapes.

Footnote. Article 27 as amended 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).

Article 27-1. Scientific natural objects with the status "Scientific natural object is a national treasure"

1. Scientific natural objects with the status of "Scientific natural object is a national treasure" shall be recognized as unique objects of natural or artificial origin, especially scientifically valuable and being a national treasure.

2. Scientific natural objects with the status of "Scientific natural object is a national treasure" may include:

unique facilities for the conservation, breeding, and reintroduction of rare and endangered species of plants and animals;

unique funds of scientific and scientific-technical information on natural objects;

unique research and experimental installations, complexes, and scientific testing sites related to the study, conservation, reproduction and use of plant, animal and microorganism species.

3. Registration of scientific natural objects with the status "Scientific natural object is a national treasure" shall be carried out by the authorized body.

4. The status "Scientific natural object is a national treasure" shall be certified by a certificate in the manner and form approved by the authorized body.

Footnote. Chapter 4 is supplemented by Article 27-1 in accordance with the Law of the Republic of Kazakhstan dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Chapter 5. PROTECTION AND DEFENCE OF ESPECIALLY PROTECTED NATURAL AREAS, LEGAL STATUS OF THE STATE INSPECTORS OF PROTECTIVE SERVICES OF ESPECIALLY PROTECTED NATURAL AREAS

Article 28. Regime types of protection of especially protected natural areas

Depending on a type and functional zoning across the whole especially protected natural area or in specially allocated zones and fields, the following regime types of protection shall be introduced:

1) reserve status providing a prohibition of any economic activity, as well as other activity violating the natural condition of natural complexes and objects of the state natural conservation fund;

2) customized regime providing absolute prohibition or restriction of separate types of economic and other activity on a seasonal basis for a specified term or without such;

3) regulated regime of economic activity providing restrictive use of natural complexes, as well as carrying on traditional types of economic activity by the owners of land fields and land users by practices and methods that do not have an adverse impact on natural complexes and objects of the state natural conservation fund.

Article 29. Protection and defence of especially protected natural areas

1. To prevent and eliminate harmful effects on the environment in specially protected natural areas, measures for protection and protection may be carried out.

2. Security measures shall include:

1) patrolling the territory, as well as with use of land and air transport for the purpose of prevention of the breaches of the legislation of the Republic of Kazakhstan in the field of especially protected areas;

2) prevention, detection and liquidation of fires;

3) protection of waters from pollution, clogging and depletion.

3. Protection measures shall include:

1) prevention and liquidation of adverse impact on waters;

2) protection of plants, well-timed detection of source areas of harmful insects and forest diseases and struggle against them, sanitary and other forest felling (forest clearance due to construction of roads, upon laying cuttings, creation of fireproof breaks);

3) ensuring of sanitary epidemiological welfare of a population and veterinary monitoring, regulation of animal numbers for the purpose of prevention of epidemics and epizootic;

4) protection of lands from erosion.

4. Prevention, detection and liquidation of fires shall be conducted in accordance with requirements of the regulatory legal acts of the Republic of Kazakhstan in the field of fire security.

5. Protection measures shall be carried out with regard to the type of protection regime of specially protected natural areas on the basis of recommendations of scientific organizations and in coordination with central or local executive bodies or other state bodies in charge of these areas.

Footnote. Article 29 as amended by the Law of the Republic of Kazakhstan dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication); dated 08.07.2024 № 118-VIII (enacted ten calendar days after the date of its first official publication).

Article 30. Restoration of the state natural conservation fund in especially protected natural areas

1. For the purpose of restoration of the state natural conservation fund, the following measures may be conducted in especially protected natural areas:

1) recultivation of previously disturbed lands;

2) maintenance of favourable regime of water reservoirs;

3) reproduction of forests and forest planting for the purpose of prevention of erosion processes and improvement of environmental situation;

4) propagation, breeding and restoration of rare and endangered species of plants and animals in natural environments;

2. Restoration measures in especially protected natural areas shall be conducted in consideration of the regime type of protection on the basis of recommendations of the relevant scientific organizations and in concurrence with the authorized body.

Article 31. Protection of natural complexes and objects of the state natural conservation fund of environmental institutions

1. Protection of natural complexes and objects of the state natural conservation fund of environmental institutions shall be carried out by the state inspectors of protective services included to their staff.

2. Heads of environmental institutions and their deputies are the chief state inspectors by virtue of position and the deputies of the chief state inspectors no protection of especially protected natural areas at the same time.

Heads of structural subdivisions of environmental institutions are the senior state inspectors by virtue of position, the specialists of these subdivisions including scientific workers are the state inspectors of environmental institutions by virtue of position.

Qualification requirements to the civil servants stated in this Article shall be established by the legislation of the Republic of Kazakhstan.

Article 32. Protection of natural complexes and objects of the state natural reserve fund, state natural monuments, state nature preserves and state protected areas

1. The protection of natural complexes and objects of the state natural reserve fund, state natural monuments, state nature preserves and state protected areas located on the lands of the state forest fund and adjacent lands is carried out by the state forest protection services of the Republic of Kazakhstan, on lands of other land categories – by state inspectors of environmental institutions and inspectors of specialized wildlife conservation organizations.

2. Assignment of state natural monuments, state natural reserves and state protected areas in order to protect them to the state forestry institutions, environmental institutions and specialized organizations for protection of wildlife is carried out by decisions of the department of the authorized body and local executive bodies of regions, cities of republican significance, the capital within their competence, unless otherwise established by part two of this paragraph.

Assignment of state natural reserves of republican significance located on the lands of the state forestry fund, which are under the jurisdiction of local executive bodies, is carried out by a decision of the department of the authorized body in agreement with the local executive bodies of regions, cities of republican significance.

Footnote. Article 32 in the new 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 the day its first official publication); 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 32-1. The Red List of the Republic of Kazakhstan

1. The Red List of the Republic of Kazakhstan is an illustrated edition of the lists of rare and endangered species of plants and animals, containing a set of information about the state

of rare and endangered species of plants and animals on the territory of the Republic of Kazakhstan, the necessary measures for their study, protection, reproduction and sustainable use. The Red List of the Republic of Kazakhstan shall be published in the Kazakh and Russian languages, if necessary, it may be published in other languages.

2. The Red Book of the Republic of Kazakhstan shall include the species (subspecies, populations) of plants (higher and lower) and animals (vertebrates and invertebrates) living on the territory of the Republic of Kazakhstan, on the continental shelf and in the exclusive economic zone of the Republic of Kazakhstan in a state of natural freedom, constantly or temporarily on land, in water, atmosphere and soil, of the following categories:

- 1) disappearing (threatened with extinction or possibly already extinct);
- 2) declining (the number of which is still quite high, but it is declining catastrophically);
- 3) rare (found in limited quantities or very small areas);
- 4) uncertain (not sufficiently studied, and the number and condition of populations are alarming);
- 5) restored (the state of the species no longer causes concern, but their populations require constant monitoring).

3. The maintenance of The Red List of the Republic of Kazakhstan shall be carried out by the authorized body at the expense of budgetary funds and other sources not prohibited by the legislation of the Republic of Kazakhstan.

The Red List of the Republic of Kazakhstan shall be subject to official publication (publishing) on paper and electronic media and is also posted on the Internet resource of the authorized body, materials of The Red List of the Republic of Kazakhstan with illustrations of rare and endangered species of plants and animals may be published in the media, informational and other publications.

4. To develop recommendations on the inclusion of plant and animal species in the lists of rare and endangered plant and animal species and The Red List of the Republic of Kazakhstan or exclusion from them, interdepartmental botanical and zoological commissions shall be created.

5. The Red List of the Republic of Kazakhstan shall be an integral part of the state cadastres of flora and fauna.

Footnote. Chapter 5 is supplemented by Article 32-1 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 the Law of the Republic of Kazakhstan dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 33. State inspectors of environmental institutions

1. State inspectors of environmental institutions in borders of their territory and protective zones shall have the right to:

- 1) check permission for the right of staying from the persons being in especially protected natural areas;
- 2) to visit facilities of individual and legal entities located on the territory of an environmental institution and its preserve zone, in order to conduct state control and supervision over compliance with the requirements of the legislation of the Republic of Kazakhstan;
- 3) is excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 № 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication);
- 4) take prompt response measures in the manner of state supervision or file claims in court upon revealed violations of the legislation of the Republic of Kazakhstan on specially protected natural areas, protection, reproduction and use of wildlife, forestry legislation of the Republic of Kazakhstan on termination or prohibition of the activities of individuals or legal entities in accordance with the laws of the Republic of Kazakhstan in connection with the application of prompt response measures;
- 5) determine extent of damage inflicted in a result of breach of the legislation of the Republic of Kazakhstan in the field of especially protected natural areas, protection, reproduction and use of animal world, forest legislation of the Republic of Kazakhstan, and hold demands against guilty persons on this basis on voluntary compensation for this damage or bring a suit before a court;
- 6) draw up the acts of the state inspectors and direct materials to the relevant state bodies for taking the measures in cases of detection of the breaches of the legislation of the Republic of Kazakhstan in the field of especially protected natural areas, protection, reproduction and use of animal world, forest legislation of the Republic of Kazakhstan;
- 7) detain the persons in especially protected natural area, its protective zone that breached the legislation of the Republic of Kazakhstan in the field of especially protected natural areas, protection, reproduction and use of animal world, forest legislation of the Republic of Kazakhstan and bring them to the law enforcement bodies;
- 8) stop transport and floating vehicles in especially protected natural areas, in its protective zone, survey them;
- 9) withdraw firearms, illegally acquired products and tools for their acquisition, transport and floating vehicles from individuals and legal entities that breached the legislation of the Republic of Kazakhstan in the field of especially protected natural areas, protection, reproduction and use of animal world, forest legislation of the Republic of Kazakhstan in the manner established by the legislation of the Republic of Kazakhstan;
- 10) storage, bearing and use of special means and service weapons in the manner established by the legislation of the Republic of Kazakhstan;
- 11) wearing of official uniform with rank badges (without shoulder straps) in the manner established by the legislation of the Republic of Kazakhstan;

12) to suspend the activities of individual and legal entities upon detection of violations of the legislation of the Republic of Kazakhstan in the field of specially protected natural areas, protection, reproduction and use of wildlife, forest legislation of the Republic of Kazakhstan.

2. Actions (inaction) and decisions of state inspectors of environmental institutions may be appealed in the manner prescribed by the laws of the Republic of Kazakhstan.

3. State inspectors of environmental institutions shall be provided by official uniform with rank badges (without shoulder straps), special means and service weapons in the manner established by the legislation of the Republic of Kazakhstan.

4. State inspectors of environmental institutions in accordance with their competence shall draw up the following acts:

1) act on results of conducting inspection;

2) protocol on administrative infraction;

3) prescription on eliminating a violation of requirements of the legislation of the Republic of Kazakhstan in the field of especially protected natural areas, protection, reproduction and use of animal world, forest legislation of the Republic of Kazakhstan;

4) regulation:

on bringing of guilty persons to administrative liability in case of breaching the legislation of the Republic of Kazakhstan in the field of especially protected natural areas, protection, reproduction and use of animal world, forest legislation of the Republic of Kazakhstan;

on withdrawal of firearms, tools of acquisition, illegally acquired products, transport and floating means for a temporary storage until delivery of judicial decision.

Footnote. Article 33 as amended by the Laws of the Republic of Kazakhstan dated 17.07.2009 № 188 (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 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 24.05.2018 № 156-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 29.06.2020 № 351-VI (shall be enforced from 01.07.2021); dated 06.04.2024 № 71-VIII (effective sixty calendar days after the date of its first official publication).

Article 33-1. Prompt response measures and their application procedure

1. Prompt response measures shall be the ways of influencing the inspected entities to prevent the occurrence of socially dangerous consequences, applied in the course of implementation and upon results of state supervision in the field of specially protected natural territories.

2. Prompt response measures shall be applied by officials of the authorized body's department and its territorial units if the activity of the inspected subjects poses a direct threat

to the conservation of biological diversity of forests, objects of the state natural reserve fund, cultural and natural heritage.

3. Prompt response measures shall include:

1) detention and delivery to law enforcement bodies of persons who have committed on the specially protected natural territory, in its protected zone offenses of the legislation of the Republic of Kazakhstan on specially protected natural territories, protection, reproduction and use of wild life, forestry legislation of the Republic of Kazakhstan;

2) seizure of firearms, illegally extracted products and tools of their extraction, transportation and watercraft from individuals and legal entities who violated the legislation of the Republic of Kazakhstan on specially protected natural territories, protection, reproduction and use of wildlife, forestry legislation of the Republic of Kazakhstan;

3) suspension of activities of individuals and legal entities in case of detected violations of the legislation of the Republic of Kazakhstan on specially protected natural territories, protection, reproduction and use of wildlife, forestry legislation of the Republic of Kazakhstan.

4. The grounds for applying prompt response measures and their types shall be breaches of the requirements determined by the legislation of the Republic of Kazakhstan on specially protected natural areas, protection, reproduction and use of wildlife, forestry legislation of the Republic of Kazakhstan.

5. If a violation is detected by an official of the authorized body's department and its territorial unit, at the committed violation site a supervision act shall be drawn up in the form approved by the authorized body and handed over to the inspected entity in accordance with Article 153 of the Entrepreneur Code of the Republic of Kazakhstan.

6. After drawing up the supervision act, an official of the authorized body's department and its territorial unit shall directly apply the prompt response measure.

7. The inspected entity is obliged to rectify the identified violations, which are the ground for applying prompt response measures, within the deadlines specified in the supervision act.

8. In case of failure to rectify the identified violations, which are the ground for prompt response measures, officials of the authorized body's department and its territorial unit shall take steps to bring persons who committed the violations to liability established by the laws of the Republic of Kazakhstan.

9. Upon expiration of the deadlines for rectifying violations of the requirements specified in the supervision act, an unscheduled inspection shall be conducted to control elimination of the revealed violations of the requirements, which are the ground for the prompt response measure.

10. The supervision act shall be terminated if the territorial unit of the authorized body's department confirms rectification of the revealed violations, which are the ground for applying the prompt response measure, on the basis of the act on the unscheduled inspection results. The form of the act shall be approved by the authorized body.

11. Prior to the expiration of the time stipulated by the supervision act, the inspected entity shall be obliged to provide information on rectification of the identified violations with attached documents (if necessary) proving the fact of rectification of the violation.

12. If the inspected entity has objections to the results of state supervision on specially protected natural territories, which entailed prompt response measures, it may file a complaint to recognize the act of supervision as invalid and revoke it.

The complaint shall be filed to a higher state body as prescribed by Chapter 29 of the Entrepreneur Code of the Republic of Kazakhstan, or to the court in the procedure prescribed by the legislation of the Republic of Kazakhstan.

Filing of a complaint shall not suspend the execution of the supervision act.

13. The grounds for invalidation of a supervision act and its revocation shall be:

- 1) absence of grounds for applying prompt response measures;
- 2) application of prompt response measures on the grounds that do not correspond to this measure;
- 3) application of prompt response measures by the department of the authorized body and its territorial unit on the matters that are outside their competence.

14. Information on applied prompt response measures shall be sent to the state body, engaged within its competence in state legal statistics and special records, in the procedure, determined by the General Prosecutor's Office of the Republic of Kazakhstan.

Footnote. Chapter 5 has been supplemented by article 33-1 pursuant to the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (effective sixty calendar days after the date of its first official publication).

Chapter 6. FINANCING SYSTEM OF ESPECIALLY PROTECTED NATURAL AREAS

Article 34. Sources of financing of especially protected natural areas

Financing of especially protected natural areas shall be carried out on account of:

- 1) budget funds;
- 2) funds of environmental institutions;
- 3) grants, financial resources of the development funds of specially protected natural areas ;
- 4) donations, voluntary contributions of natural and legal persons, including for the harm to the objects of the state natural reserve fund that is being caused and (or) unavoidable, in the course of their economic and other activities.

Footnote. Article 34 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 the day its first official publication).

Article 35. Financing of measures on development and maintenance of environmental institutions

The measures are financed from the budget funds allocated for the development and maintenance of environmental institutions in accordance with environmental institution management plans, depending on their category, and these funds are invested in:

- 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) covering for damages and compensation for losses inflicted to the owner of land fields or land user due to withdrawal of a land field upon creation and expansion of especially protected natural areas, as well as upon reservation of lands for creation and expansion of these territories;
- 3) covering for damages and compensation for losses on restriction of economic activity of the owners of land fields and land users in protective zones of especially protected natural areas;
- 4) keeping the State cadastre of especially protected natural areas, lists of objects of the state natural conservation fund;
- 5) performance of works on drawing up land use project of allocating the lands and on allocation of borders of especially protected natural area and its protective zone in kind;
- 6) construction and reconstruction of objects and structures of administrative economic, scientific, informational and educational, touristic and recreation purpose;
- 7) maintenance of staff numbers;
- 8) protection, defence and restoration of objects of the state natural conservation fund;
- 9) carrying on environmental, scientific, touristic and recreation activity;
- 10) the construction of infrastructure facilities in specially protected natural areas of national significance (roads, bridges, power lines and other communications) in the zones of tourist, recreational and restricted economic activities of the state national natural park and in the buffer zone of the state nature reserve.

Footnote. Article 35 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 03.07.2013 № 124-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 its first official publication).

Article 36. Financing of measures on development and maintenance of environmental organizations created in the form of the state enterprise

Financing of measures on development and maintenance of environmental organizations created in the form of the state enterprise shall be carried out in the manner established by the legislation of the Republic of Kazakhstan.

Article 37. Financing of measures on protection, defence and restoration of objects of the state natural conservation fund of especially protected natural areas without a status of legal entity

Financing of measures on protection, defence and restoration of objects of the state natural conservation fund of especially protected natural areas without a status of legal entity shall be carried out by environmental institutions, state institutions of forest husbandry secured to them on account of budget funds allocated to them for these purposes.

Article 38. Funds of environmental institutions

1. Funds of environmental institutions depending on a profile of their activity and a regime type of protection shall be formed on account of selling the following goods (works, services) not relating to their main activity:

1) rendering of paid services to individuals and legal entities upon their use of natural complexes in touristic and recreation purposes, as well as:

on provision of tourist trails, viewing platforms, bivouac areas, parking lots for vehicles, including those with electric charging stations in places with access to electric networks, campsites, tent camps or sites for their placement; hotels, motels, tourist bases, fish farms, public catering, trade and other cultural and household facilities under the management of specially protected natural territories or sites for their placement; services for the construction and placement of pipelines in the specially protected natural territory; tourist gear;

on amateur (recreational) fishing, as well as fish farming;

services of conductors, guides, tour guides and interpreters on carrying out cine-, video- and photo survey upon visiting and studying objects of the state natural conservation fund, natural and historical-cultural heritage, natural museums and pets' corners;

services on a sanitary clearance and capital improvement of territories and objects provided for use, as well as on performance of works on capital improvement and planting of greenery in territories of other organizations;

services on production of products for the objects of public catering facilities;

for the provision of transport services, as well as services for the provision of temporary possession and use of draft and riding animals;

2) incomes from restricted economic activity, as well as from:

production of souvenir products;

sale of goods from intermediate felling and other felling, the products of processing the wood gained from them;

sale of products of collateral forest uses (limited grazing, maral breeding, haymaking, amateur picking of mushrooms, fruits and berries, gardening);

growth of planting material for reproduction of forests and planting of greenery of inhabited localities;

income from the sale of goods of limited economic activity, the sale of fish and fish products, the creation of forest plantations, protective and green spaces;

growth of fish seeds;

production of products and rendering of services under the contracts on mutual activity concluded with individuals and legal entities in touristic, recreation and restricted economic purposes;

gathering (processing) of forest seeds;

3) payment for use of symbols (emblems and flag);

4) incomes from production of print, souvenir and other replicating products;

5) voluntary contributions and charitable gifts of individuals and legal entities;

6) grants, funds of the development funds of especially protected natural areas;

7) incomings from individuals and legal entities inflicting damage to especially protected natural areas and objects of a state natural conservation fund, in accordance with Article 82 of this Law.

1-1. The funds of environmental institutions shall also be formed from:

1) collection of fees from the objects of tourist and recreational destination;

2) charging tourists, except for charges from pensioners, persons with disabilities, veterans of the Great Patriotic War, veterans of military operations on the territory of other states, veterans equated in benefits to veterans of the Great Patriotic War, veterans of labour, children of preschool age;

3) collection of fees for the entry of an automobile vehicle into the territory of environmental institutions.

2. Funds from selling goods (works, services) by environmental institutions shall be used in accordance with the budget legislation of the Republic of Kazakhstan.

3. For the purpose of receiving the incomes from the types of activity mentioned in paragraph 1 of this Article, the environmental institutions may participate in competitions on state procurements.

Footnote. Article 38 as amended by the Laws of the Republic of Kazakhstan dated 10.12.2008 № 101-IV (shall be enforced from 01.01.2009); 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 the day 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); № 362-VI dated 30.09.2020 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 30.04.2021 № 34-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication); dated 06.04.2024 № 71-VIII (effective sixty calendar days after the date of its first official

publication); dated 18.07.2024 № 126-VIII (enacted sixty calendar days after the date of its first official publication).

SECTION 2. SPECIAL ASPECTS OF ORGANIZATION, PROTECTION AND ACTIVITY OF SEPARATE TYPES OF ESPECIALLY PROTECTED NATURAL AREAS, OBJECTS OF A STATE NATURAL CONSERVATION FUND AND PROTECTED NATURAL AREAS INCLUDED INTO ENVIRONMENTAL NETWORK

Chapter 7. STATE NATURAL CONSERVATIONS

Article 39. Definition and main activity of the state natural conservations

1. State natural conservation –especially protected natural area with a status of environmental and scientific institution, the purpose of activity of which is preservation and studying of natural course of the natural processes and events, objects of plant and animal world, separate species and communities of plants and animals, typical and unique environmental systems and their restoration in its territory.

2. Main activity of the state natural conservations shall include:

1) ensuring of protection regime and restoration of biological diversity of a state natural conservation and its protective zone;

2) organization and conduct of scientific researches on study and monitoring of environmental systems, objects of a state natural conservation fund including keeping of nature records;

3) conduct of environmental and educational activity;

4) participation in the state environmental examination of projects and schemes of placing economic and other objects that may have an adverse impact on environmental systems of a state natural conservation;

5) regulation of using a territory of a state natural conservation and its protective zone in environmental and educational, scientific and restricted touristic purposes.

Article 40. Protection regime of the state natural conservations

1. In the whole territory of a state natural conservation, the reserve protection regime shall be set I consideration of special aspects provided by Article 43-1 of this Law, upon which it shall be prohibited:

1) the actions that change hydrological regime of a territory;

2) construction of buildings (structures and facilities), roads, pipelines, power transmission lines and other communications and objects not linked with functioning of a state natural conservation;

3) geological prospecting works and extraction of mineral resources;

4) disturbance of soil covering, disturbance of prospecting and rock outcrops;

5) all the types of forest use, as well as procurement of food, medical and technical plants, as well as their parts and derivatives, haying, grazing of livestock and other types of using the plant world leading to disturbance of vegetation cover, with the exception of sanitary felling required for carrying out of forest protective measures;

6) hunting and fishing;

7) trapping and destruction of animals, disturbance of their environmental sanitation and conditions;

8) introduction of new species of plants and animals, conduct of measures on increase of separate animal species number more than acceptable on natural land capacity;

9) gathering of collection materials, with the exception of formation of collections of a state natural conservation;

10) application of chemical and biological methods of a struggle against pests, plant and animal diseases, as well as regulation of animal number;

11) driving of domestic animals;

12) noise and other acoustical effects of artificial origin exceeding the standards established by the authorized body;

13) the activity if it leads a change of a natural outlook of protected landscapes or violation of sustainability of environmental systems or threats to preservation and reproduction of especially valued mineral resources.

2. Conduct of ground and air works on prevention and extinguishment of forest and steppe fires shall be allowed in a territory of the state natural conservations.

3. Staying of individuals in a territory of a state natural conservation shall be allowed only in existence of permitting documents, with the exception of workers of the state natural conservations, as well as civil servants of the state bodies the jurisdiction of which includes the state natural conservations.

4. To ensure access to places worshiped by members of a particular religion (places of pilgrimage), located on the territory of a state natural reserve or outside its territory, along roads passing through the territory of a state natural reserve, a state natural reserve in agreement with the relevant religious association, a group visit to these places or an approach to these places may be allowed free of charge, accompanied by inspectors of the state natural reserve.

Footnote. Article 40 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 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of 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 41. Procedure for organization and maintenance of scientific activity in the state natural conservations

1. Scientific activity in the state natural conservations shall be carried out by organization of stationary system supervision on studying natural complexes and objects of the state natural conservation fund, monitoring of natural processes including keeping of the nature records, as well as developments of scientific grounds and methods for preservation of biological diversity, restoration of environmental systems and objects of the state natural conservation fund in accordance with the rules approved by the authorized body.

2. For organization and maintenance of scientific activity in the state natural conservations, the scientific structural subdivisions shall act with the relevant staff of scientific workers that is ensured by necessary premises and equipment.

3. Scientific subdivisions of the state natural conservations shall also conduct scientific researches, except for scientific activity provided by paragraph 1 of this Article, in accordance with the plans of scientific research works, approved by the authorized body in concurrence with the central executive body carrying out administration in the field of science and scientific technical activity.

4. Other scientific organizations and individual scientists may conduct scientific research on the territories of state natural reserves on a contractual basis with the state natural reserve in agreement with the authorized body.

5. For consideration and approval of plans of scientific researches, reports of scientific workers, the scientific technical councils the composition of which may include scientific workers and specialists of other organizations shall be created in the state natural conservations.

6. Scientific funds of the state natural conservations shall be subject to termless storage.

7. State natural conservations shall have the right to publish own scientific work.

8. Planning and carrying on of scientific works in a territory of the state natural conservations shall be carried out with exclusion of cruel research methods leading to disturbance, suffering, death of animals and destruction of plants, as well as rare and endangered species.

Footnote. Article 41 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 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 42. Environmental and educational activity of the state natural conservations

1. Environmental and educational activity of the state natural conservations shall be carried out for the purpose of:

1) support of ideas of reserve management and studies by broad layers of population as a necessary condition of performing the functions of reserving biological diversity by the state natural conservations;

2) formation and development of environmental culture.

2. For conduct of environmental and educational events in the state natural conservations, the museums, exposition, demonstration fields and other objects may be created.

3. Creation of tourist trails and routes for conducting the regulated environmental tourism shall be allowed in the state natural conservations in specially allocated fields that do not include especially valued environmental systems and objects, in the manner established by the authorized body.

4. State natural conservations may involve specialists and public associations upon carrying out of environmental and educational activity.

Footnote. Article 42 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 43. Regime of protective zones of the state natural conservations

1. In protective zones of the state natural conservations, it shall be prohibited as follows:

1) creation of new and expansion of existing inhabited localities;

2) placement, designing, construction and operation of objects, introduction of new technologies having an adverse impact on environmental systems of a state natural conservation;

3) intensive forms of farm management and forestry with the use of pesticides, toxic chemicals and fertilizers that are toxic to flora and fauna;

4) emission of polluting substances and discharge waters in atmosphere, open water sources and on a relief, placement of wastes;

5) extraction of mineral resources;

6) amateur (sport) and commercial hunting;

7) disposal of radioactive materials and production wastes;

8) activity that may change the hydrological regime of environmental systems of a state natural conservation (construction of dams, barriers, hydrotechnical structures and other objects leading to termination or lowering of natural water flow);

9) introduction of alien species of wild animals and wildling plants;

10) other activity that may have an adverse impact on environmental systems of a state natural conservation.

2. Different forms of economic activity that do not have an adverse impact on a condition of environmental systems of a conservation may be carried out in a territory of protective zones of the state natural conservations:

1) forestry activity;

2) traditional land use including gathering of livestock and haying, as well as other activity within ensuring of long-termed preservation and immunity of biological diversity;

3) touristic and recreation activity;

4) use of mineral waters, balneological and climatic resources;

5) commercial and amateur (sport) fishing;

6) conduct of land and air works on extinguishment of forest and steppe fires;

7) recultivation of disturbed lands;

8) restoration of forest and other plant communities;

9) restoration of environmental condition and number of wild animals;

10) use of land fields for arrangement of the places for stay of tourists, arrangement of breeding nurseries for artificial propagation, growth, breeding of endemic, rare and endangered plants and animals, as well as for construction of service buildings (cordons) for residence of workers of a state natural conservation, provision of official land allotments to them.

3. Events on preservation of environmental sanitation and conditions for propagation of objects of plant and animal world, migration paths and places of concentration of animals shall be provided and carried out, immunity of the fields representing a special value as environmental sanitation of wild animals, as well as other objects of the state natural conservation fund shall be ensured in protective zones of the state natural conservations upon carrying out of the types of activity mentioned in paragraph 2 of this Article.

4. Restrictions of economic activity of the owners of land fields and land users in protective zones of the state natural conservations shall be established by decisions of local executive bodies of oblasts, cities of republican significance, the capital.

Footnote. Article 43 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 43-1. Special aspects of protection regime of separate state natural conservations

1. On the territory of the Markakol State Natural Reserve, the following shall be allowed:

1) amateur (recreational) fishing for the needs of the local population living in the protected zone of this reserve, in specially allocated areas on the basis of biological feasibility under the legislation of the Republic of Kazakhstan;

2) regulation of the animal population on the basis of biological substantiation.

2. Reclamation fishing in the water bodies of Korgalzhyn State Nature Reserve is allowed given scientific recommendations in accordance with the legislation of the Republic of Kazakhstan.

Footnote. The Law is supplemented by Article 43-1 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 (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 its first official publication); dated 30.04.2021 № 34-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 06.04.2024 № 71-VIII (effective sixty calendar days after the date of its first official publication).

Chapter 8. STATE NATIONAL NATURE PARKS AND STATE REGIONAL NATURE PARKS

Article 44. Definition and main activity of the state national nature parks

1. State national nature park is especially protected natural area with a status of environmental and scientific institution intended for preservation of biological and landscape diversity, use of unique natural complexes and objects of the state natural conservation fund having especial environmental, scientific, historical-cultural and recreation value in environmental oriented, environmental and educational, scientific, touristic and recreation purposes.

2. Main activity of the state national nature parks shall include:

- 1) preservation of nature parks, unique and sample natural fields, objects of the state natural conservation fund, natural and historical-cultural heritage;
- 2) ensuring of protection regime of a state national nature park and its protective zone;
- 3) promotion of ecological awareness;
- 4) development of scientific methods of preservation of biological diversity;
- 5) maintenance of monitoring of environmental systems and separate natural objects under nature records;
- 6) restoration of disturbed natural complexes, objects of the state natural conservation fund, natural and historical-cultural heritage;
- 7) regulation of using a territory of a state national nature park and its protective zone in environmental and educational, scientific, touristic, recreation and restricted economic purposes.

Footnote. Article 44 as amended 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).

Article 45. Zoning, regime of protection and use of a territory of the state national nature parks

1. The following zones shall be allocated in a territory of the state national nature parks:

- 1) reserve status;
- 2) environmental stabilization;
- 3) tourist and recreation activity;
- 4) restrictive economic activity.

2. In the reserve status zone, any economic activity and recreational use of the territory of the state national natural park shall be prohibited, except for regulated ecological tourism, and the reserve protection regime shall be introduced, which corresponds to the type of the state nature reserve regime specified in paragraph 1 of article 40 of this Law.

The reserve status zone comprises from ten to forty percent of the territory of the state national natural park.

3. In the zone of environmental remediation, the reserve protection regime is introduced, which prohibits economic and recreational activities, except for regulated ecological tourism, measures for the restoration of disturbed natural complexes and objects of the state natural reserve fund, the placement of stationary apiaries with the construction of temporary structures required for beekeeping.

4. The zone of tourist and recreational activities is divided into sections of regulated short-term rest and long-term rest of visitors of the state national natural park.

In the tourist and recreational zone a custom-made protection regime shall be established for preservation of natural complexes and objects of the state natural reserve fund, on whose territory regulated tourist and recreational use (except hunting) is allowed, including the organization of tourist routes, trails, bivouacs and viewing platforms, beaches, boat stations, water vehicles and beach equipment rental stations, taking into account the norms of recreational loads, aquaculture (fish farming), placement of stationary apiaries with the construction of temporary structures necessary for beekeeping.

5. In the limited economic activity zone administrative and economic objects shall be placed, economic activity shall be carried out necessary for protection and functioning of the state national nature park, service of its visitors, including organization of amateur (recreational) fishing, general use of wildlife, construction and operation of recreational centers, cages for breeding and keeping of wild animals, hotels, campsites, museums and other tourist service facilities, as well as fish farms for cultivation of fish resources and other aquatic animals.

6. In all the zones of a state national nature park, the protection, defence and restoration measures provided by its management plan shall be conducted.

7. In state national nature parks, the scientific and environmental and educational activity shall be carried out in the manner established by Articles 41 and 42 of this Law.

Footnote. Article 45 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 the day its first official publication); dated 30.04.2021 № 34-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 06.04.2024 № 71-VIII (effective sixty calendar days after the date of its first official publication).

Article 46. Carrying out of touristic and recreation activity in the state national nature parks

1. Tourist and recreational activities in state national nature parks shall be carried out directly by the state national nature park, as well as by individuals and legal entities providing tourist services.

2. The plots of the state national nature parks for realization of tourist and recreational activities shall be provided for short-term use for the period from one to five years and for long-term use for the period from five to twenty-five years. These plots shall be provided in accordance with the rules of tourist and recreational activities in the state national nature parks. The plots of state national nature parks for tourist and recreational activities shall be provided for short-term and long-term use also to a private partner who has concluded a public-private partnership agreement in accordance with the legislation of the Republic of Kazakhstan on public-private partnership.

3. Sites for the implementation of tourist and recreational activities are provided in accordance with the general plan for the development of the infrastructure of the state national natural park and only in the zones of tourist, recreational (for the construction of temporary buildings only) and limited economic activities, both with existing infrastructure and for the creation of new infrastructure.

Footnote. Article 46 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 the day its first official publication); dated 01.04.2021 № 26-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication); dated 06.04.2024 № 71-VIII (effective sixty calendar days after the date of its first official publication).

Article 46-1. Construction of objects on fields of the state national nature parks provided for use for carrying out of touristic and recreation activity

1. The construction of facilities on the sites of state national natural parks provided for the use for tourism and recreational activities shall be carried out in accordance with a long-term use agreement concluded by individuals, legal entities or private partners with the state national natural park, and according to the design (design estimate) documentation developed in accordance with the sketch (draft design).

2. 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 the day its first official publication).

3. An individual, a legal entity or a private partner, upon the expiration of the term of the contract for the use of the site provided to him/her for the use of tourist and recreational activities shall have a preferential right to extend the term of the contract.

4. Issues of transferring the right of use of the field provided for use for carrying out of touristic and recreation activity, and of objects of construction on it, shall be determined in a contract of carrying out of touristic and recreation activity.

5. Regardless of the transfer of the right to use a land plot provided for long-term use for tourist and recreational activities, individuals, legal entities or private partners retain the obligation to bring the site into a condition that ensures the safety of objects of the state natural reserve fund and compliance with environmental protection requirements, except in cases of transfer of construction objects to another person in accordance with the written notification of the authorized body, or when the contract provides otherwise.

6. Disassembling and removal of objects of construction from the fields shall be carried out by individuals and legal entities with a method being safety for life, health of human and environment, in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Chapter 8 is supplemented by Article 46-1 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 the Law of the Republic of Kazakhstan dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after the day 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 01.04.2021 № 26-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 47. Special aspects of restricted economic activity of the state national nature parks

1. The following types of activity shall be permitted in a zone of restricted economic activity by the state national nature parks:

1) collateral forest uses (limited grazing, maral breeding, haymaking, amateur picking of mushrooms, fruits and berries, gardening);

2) growing planting materials of woody species and bushes, medicinal grass and other plants on restricted areas of traditional use;

3) conduct of sanitation felling, improvement felling, with the exception of increment felling, and processing of received wood;

4) production of souvenirs, products of cottage and public craft;

5) cultivation of fish planting material and marketable fish;

6) beekeeping with the use of nomadic and stationary apiaries;

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 the day its first official publication);

7-1) general use of wildlife;

- 8) amateur (sport) fishing;
- 9) amelioratory fishery;
- 10) scientific-research fishery;
- 11) fishery in reproduction purposes.

2. The limited economic activity of state national natural parks is carried out taking into account the preservation and restoration of objects of the state natural reserve fund and according to the relevant permits of the state bodies in whose jurisdiction they are.

Footnote. Article 47 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 the day 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 30.04.2021 № 34-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 06.04.2024 № 71-VIII (effective sixty calendar days after the date of its first official publication).

Article 48. The regime of protected zones of state national natural parks

1. In the protected zones of state national natural parks, it is prohibited:

1) to place, design, construct and operate facilities, to introduce new technologies that have a harmful effect on the ecological systems of the state national natural park;

2) to release in the air and discharge into open water sources and on the land the pollutants and sewage;

3) exploration and production of minerals, except for the cases specified in paragraph 2 of Article 84-2 of this Law;

4) to hunt;

5) to bury radioactive materials and industrial wastes;

6) to carry out an activity, which can alter the hydrological regime of the ecological systems of the state national natural park (construction of embankments, dams, hydraulic structures and other objects leading to the cessation or reduction of natural water flow);

7) to introduce alien species of wild animals and wild plants;

8) to carry out any other activity that may have a harmful effect on the ecological systems of the state national natural park.

2. In the protected zones of state national natural parks, various forms of economic activity that do not have a negative impact on the state of the ecological systems of the national park may be carried out, such as:

1) forestry activity;

2) traditional land use, including livestock grazing and haymaking, as well as other activity within the framework of ensuring the long-term conservation and invulnerability of biological diversity;

- 3) tourist and recreational activities;
- 4) use of mineral waters, balneological and climatic resources;
- 5) commercial and amateur (recreational) fishing, as well as fish farming;
- 6) suppression of forest and steppe fires using ground means and aviation;
- 7) reclamation of disturbed lands;
- 8) restoration of forest and other plant communities;
- 9) restoration of natural habitats and the number of wild animals;
- 10) the use of land plots for the arrangement of places of stay for tourists, the arrangement of nurseries for artificial reproduction, cultivation, and breeding of endemic, rare and endangered species of plants and animals, as well as the construction of service buildings (cordons) for the residence of employees of the state national natural park, providing them office land plots.

3. When carrying out the activities specified in paragraph 2 of this article in the protected zones of state national natural parks, measures shall be envisaged and taken to preserve the habitat and breeding conditions of flora and fauna species, animals' migration routes and concentration areas, to ensure intactness of the sites that are of special value as a habitat of wild animals, as well as other objects of the state natural reserve fund.

4. Restrictions on the economic activity of owners of land plots and land users in the protected zone of the state national natural park are established by decisions of local executive bodies of the regions, cities of national significance, the capital in accordance with this Law.

Footnote. Article 48 in the new 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 the day its first official publication).; as amended by the Law of the Republic of Kazakhstan dated 02.01.2021 № 399-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication); dated 06.04.2024 № 71-VIII (effective sixty calendar days after the date of its first official publication).

Article 49. State regional nature parks

State regional nature park is an analogue of a state national nature park with a type of regime established for a state national nature park, sets the same purposes and performs the same targets, but relates to especially protected natural area with a status of environmental and scientific institution.

Chapter 9. STATE NATURE RESERVES

Article 50. Definition, grounds of activity and zoning of the state nature reserves

1. State nature reserve – especially protected natural area with a status of environmental and scientific institution including land and water environmental systems intended for protection, defence, restoration and maintenance of biological diversity of natural complexes and natural and historical and cultural objects linked with them.

2. The main activity of the state nature reserves are:

- 1) preservation and restoration of biological and landscape diversity, natural environmental systems;
- 2) ensuring of protection regime of a state nature reserve;
- 3) maintenance of a stable social-economic development of a territory on the basis of environmental economic principle of using the natural resources;
- 4) conduct of researches and monitoring for the purpose of protection and stable development of a territory, as well as awareness and education in the field of environment;
- 5) regulation of using a territory of a state nature reserve and its protective zone in environmental educational, scientific, recreation, touristic and restricted economic purposes.

3. Territory of a state nature reserve shall be divided into zones with different types of regimes of protection and use:

- 1) reserve status zone (hereinafter – nucleus zone) – a nucleus zone intended for a long-term preservation of genetic resources, biological diversity, environmental systems and landscapes having sufficient sizes for reaching such purposes;
- 2) buffer zone – a field of territory that is used for maintenance of environmental oriented economic activity and stable reproduction of biological resources.

Article 51. Regime of reserve status zone of a state nature reserve

1. Scientific researches and monitoring of a condition of environment, including keeping of nature records in a reserve status zone of a state nature reserve shall be conducted, the measures in environmental education purposes shall be carried out.

2. Any economic activity and recreation use of a territory shall be prohibited in a reserve status zone of a state nature reserve and a reserve status of protection being relevant to the type of protection of a state nature reserve established by paragraph 1 of Article 40 of this Law shall be established.

Article 52. Buffer zone regime of a state nature reserve

1. Different forms of restricted, regulated activity, as well as the activity not having an adverse impact on a state of environmental systems of a nucleus zone may be carried out in a buffer zone:

- 1) scientific researches and organization of training centres and preparation of specialists;
- 2) monitoring of environment and control of changes of environmental systems;
- 3) forestry activity, fire-fighting measures and protection of forest areas;

4) traditional land use as a part of ensuring a long-term preservation and immunity of biological diversity of a nucleus zone and stability of environmental systems of a state nature reserve in general;

5) expanded conduct of measures on restoration of biological and landscape diversity, natural environmental systems;

6) tourism, recreation use, controlled and regulated in accordance with recreation load, established by the rules of visiting especially protected natural areas by individuals;

7) use of mineral waters and medical resources;

8) environmental awareness, conduct of training programs, organization of demonstration sites and management of environmentally friendly natural management;

9) 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 the day its first official publication);

10) amateur (sport) fishery;

11) ameliorative fishery;

12) scientific research fishery;

13) fishery in reproduction purposes;

13-1) fish farming;

14) beekeeping with the use of nomadic and stationary apiaries.

2. The activity that may have an adverse impact on a state of environmental system of a nucleus zone shall be prohibited in a buffer zone of a state nature reserve, particularly:

1) creation of new inhabited localities;

2) placement and operation of industrial objects;

3) construction and operation of production objects;

4) conduct of geological survey works and development of mineral resources;

5) fellings for primary use;

6) introduction of new types of plants and animals;

7) actions that change a hydrological regime of a territory of nucleus zone and buffer zone

;

8) another activity that may have an adverse impact on environmental system of a nucleus zone.

3. In the state nature reserves, the environmental educational, touristic and recreation activity shall be carried out in the manner established by Article 41, 42 and 46 of this Law.

Footnote. Article 52 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 the day its first official publication); dated 06.04.2024 № 71-VIII (effective sixty calendar days after the date of its first official publication).

Article 53. The regime of protected zones of state nature reserves

In the protected zones of the state nature reserves, the types of nature management and economic activities specified in article 48 of this Law are permitted, prohibited or restricted.

Footnote. Article 53 in the new 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 the day its first official publication).

Chapter 9-1. Biosphere Reserves

Footnote. The Law is supplemented by chapter 9-1 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 the day its first official publication).

Article 53-1. The tasks of biosphere reserves

Biosphere reserves are created for:

- 1) the conservation, restoration and use of natural areas with a rich cultural and natural heritage;
- 2) supporting long-term, sustainable economic and social development of the areas, including their recreational use, with account of conservation and restoration of natural resources;
- 3) long-term environmental control, monitoring and for environmental research, as well as environmental education and education of the population.

Article 53-2. Functional zoning and protection regime of biosphere reserves

In biosphere reserves, the following functional zones are distinguished:

- 1) core zone - a zone with the reserve protection regime intended for the conservation of biological and landscape diversity, which corresponds to the zones specified in paragraph 1 of article 40, paragraphs 2 and 3 of article 45 and article 51 of this Law;
- 2) buffer zone - a zone with the special-order protection regime used for conducting environmentally-oriented economic activity and sustainable reproduction of biological resources, which corresponds to the zones specified in paragraphs 4 and 5 of article 45 and article 52 of this Law;
- 3) external transitional zone - a section of the territory outside a specially protected natural area used for conducting ecologically-oriented economic activity, which corresponds to the protected zones specified in articles 43, 48 and 53 of this Law.

Chapter 10. STATE ZOOLOGICAL PARKS

Article 54. Definition and grounds of activity of a state zoological park

1. State zoological park – especially protected natural area with a status of environmental and scientific organization intended for cultural and educational, scientific, educational and

environmental activity, genetic conservation and development in conditions of artificial environment of typical, rare and endangered types of animals.

2. The main activity of the state zoological parks shall include development of scientific basis of preservation, reproduction and use of animal world of Kazakhstan, development of resources of Kazakhstan's fauna having global impact.

Article 55. Zoning and special aspects of protection of the state zoological parks

1. State zoological parks shall include the following zones:

- 1) expositional – for management and breeding of animals, as well as access of visitors;
- 2) scientific – for conduct of scientific researches;
- 3) public – for servicing of visitors;
- 4) administrative and production economic.

2. In the state zoological parks, any actions not linked with performance of their targets that may lead to death of animals maintained in there shall be prohibited.

Article 56. Breeding of animals in the state zoological parks

1. State zoological parks shall form and ensure preservation of animal collection from domestic and world fauna.

2. State zoological parks shall carry out import and export operations with animals, their exchange with other zoological profile organizations in established manner in compliance with requirements established by the legislation of the Republic of Kazakhstan.

3. Veterinary and zootechnical services, nurseries for breeding of rare and endangered animal species shall be created in the state zoological parks.

4. Is excluded 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).

Footnote. Article 56 as amended by the Law of the Republic of Kazakhstan dated 04.12.2015 № 435-V (вводится в действие с 01.01.2016); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 57. Special aspects of use of the state zoological parks

1. State zoological parks shall be used in scientific, cultural and educational purposes.

2. Zoological parks conduct scientific research in the field of keeping and breeding animals in captivity and (or) semi-free conditions, including those entered into the Red Book of the Republic of Kazakhstan.

3. State zoological parks shall have the right to create banks of scientific findings, funds, museums, lyceums, libraries and archives, popular science and other literature on the issues of activity of these organizations.

4. State zoological parks shall have the right to have subsidiary husbandries, workshops, zoological shops and other objects required for economic activity being relevant to a profile of these organizations, but not related to their main activity.

Footnote. Article 57 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 the day its first official publication).

Chapter 11. STATE BOTANICAL GARDENS

Article 58. Definition and main activity of a state botanical garden

1. State botanical garden – especially protected natural area with a status of environmental and scientific organization intended for conduct of researches and scientific developments on protection, defence, reproduction and use of plant world, as well as rare and endangered plant species.

2. The main activity of the state botanical gardens shall include development of scientific grounds of preservation, reproduction and use of plant world of Kazakhstan, development of resources of Kazakhstan's flora having global impact.

Article 59. Zoning and special aspects of protection of the state botanical gardens

1. State botanical gardens shall include the following zones:

- 1) expositional – for cultivation of plants and access of visitors;
- 2) scientific – for conduct of scientific researches and preservation of collection of the plants' genofond;
- 3) public – for servicing of visitors;
- 4) administrative and production economic.

2. In the state botanical gardens, any actions not linked with performance of their targets that may lead to death of the plants cultivated in there shall be prohibited.

Article 60. Cultivation of plants in the state botanical gardens

1. State botanical gardens shall form and ensure preservation of plants' collections of natural, cultural, domestic and world flora.

2. State botanical gardens shall carry out import and export operations with plants, their exchange with other botanical profile organizations in compliance with requirements established by the legislation of the Republic of Kazakhstan.

3. Collection and experimental fields, herbaria, nurseries and seed funds shall be created in the state botanical gardens.

Article 61. Special aspects of using the state botanical gardens

1. State botanical gardens shall be used in scientific, cultural and educational purposes in established manner.

2. Scientific researches on introduction and selection of natural, cultural, domestic and world flora, as well as on study, preservation and effective use of planting world of Kazakhstan shall be conducted in the state botanical gardens.

Scientific researches on formation, preservation, use of collection funds of plants shall be carried out on the basis of the state orders ensuring cultivation of collection funds.

3. State botanical gardens shall have the right to create the banks of scientific findings, funds, museums, lyceums, libraries and archives, issue scientific, popular science literature on the issues of activity of these organizations.

4. State botanical gardens shall have the right to create economic experimental basis for production tests of recommended introduced plants and their reproductions for the purpose of introduction into forest, park and garden, rural economic and other branches.

5. State botanical gardens shall have the right to have subsidiary husbandries, workshops, specialized shops for selling plants and other objects required for economic activity being relevant to the profile of these organizations, but not related to their main activity.

Chapter 12. STATE DENDROLOGICAL PARKS

Article 62. Definition and main activity of a state dendrological park

1. State dendrological park – especially protected natural area with a status of environmental and scientific organization with the types of protection regime established by zones intended for protection, defence, reproduction and use of wood and bushy species.

2. Main activity of the state dendrological parks shall include development of scientific grounds of preservation, reproduction and use of woody vegetation of Kazakhstan, development of resources of Kazakhstan's flora having global impact.

Article 63. Zoning, special aspects of protection and use of the state dendrological parks

1. State dendrological parks shall include the same zones considering their purpose and type of protection regime, as in the state botanical gardens provided by Article 59 of this Law.

2. State dendrological parks shall be used in scientific, cultural and educational purposes in the same manner and under the same conditions as the state botanical gardens that are established by Article 61 of this Law.

Chapter 13. STATE NATURE MONUMENTS

Article 64. Definition of the state nature monuments

State nature monument – especially protected natural area that includes separate unique, uncorrectable, valuable natural complexes in ecological, scientific, cultural and esthetic relation, as well as objects of natural and artificial origin related to the objects of the state natural conservation fund.

Article 65. Procedure for creation of the state nature monuments

1. Depending on significance, the separate types of objects of the state natural conservation fund and natural complexes shall be declared as the state nature monuments of republican or local significance.

2. The boundaries and the form of the protection regime of the territories of state natural monuments of national significance are approved by the authorized body, those of state natural monuments of local significance - by local executive bodies of the regions, cities of national significance, the capital.

3. Transfer of the state nature monuments of republican significance and their territories under protection of the persons to the jurisdiction of whom they are transferred, and the state nature monuments of local significance – by local executive bodies of oblasts, cities of republican significance, the capital that made decisions on their organization.

4. State nature monuments of republican significance situated in a territory of the state natural conservations, state national nature parks, state nature reserves, state regional nature parks and other types of especially protected natural territories shall be considered in their composition.

Upon creation or expansion of the state natural conservations, state national nature parks, state nature reserves, the nature monuments of local significance shall be excluded from the list of especially protected natural areas of local significance and shall be included into the list of especially protected natural territories of republican significance in existence of the relevant rationale in a feasibility study of creation of expansion of these types of especially protected natural areas.

Footnote. Article 65 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 the day its first official publication).

Article 66. Protection regime of territories of the state nature monuments

1. Reserve status of protection being relevant to the type of protection regime of the state natural conservations shall be established in the territories of the state nature monuments with prohibition of any activity leading to violation of preservation of the state nature monuments.

1-1. In territories of the state nature monuments, the measures on their preservation and restoration shall be conducted in accordance with projects developed by organizations being specialized in this field.

2. Protection of the state natural conservations shall be carried out in accordance with Article 32 if this Law.

Footnote. Article 66 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).

Chapter 14. STATE NATURE SANCTUARIES

Article 67. Definition and types of the state nature sanctuaries

1. State nature sanctuary – especially protected natural area with a protection regime or regulated regime of economic activity intended for preservation and reproduction of one or several objects of the state natural conservation fund.

2. According to functional purpose, the state nature sanctuaries may be subdivided into the following types:

- 1) complex – for preservation and restoration of especially protected natural complexes;
- 2) biological (botanical, zoological) - for the conservation and restoration of valuable, rare and endangered species of plants and animals;
- 3) palaeontological – for preservation of animal, plant fossils and their complexes;
- 4) hydrological (bog, lake, river) – for preservation of valuable objects and complexes of wetlands;
- 5) geomorphological – for preservation of rare and unique natural forms of a relief;
- 6) geological and mineral – for preservation of rare geological and mineral formations;
- 7) soil – for preservation of typical and rare types of soils;
- 8) hydrogeological – for preservation of unique groundwater deposits.

Footnote. Article 67 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 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 68. Special aspects of creation of the state nature sanctuaries

1. State nature sanctuaries shall be created on the fields of lands of all categories without their withdrawal from the owners of land fields and land users.

Borders of the state nature sanctuaries shall be established according to the borders of the land fields of the owners and land users or according to the natural geographic boundaries and shall be designated by special signs afield.

Owner of a land field or land user shall be obliged to ensure the right of restricted intended use of the land field on which the state nature sanctuary is located.

Restrictions of economic activity of the owners of land fields and land users in a territory of a state nature sanctuary shall be established by decisions of local executive bodies of oblasts, cities of republican significance, the capital in the manner provided by the Land Code of the Republic of Kazakhstan.

2. State nature sanctuaries shall be created as:

- 1) termless – without specification of terms of functioning;
- 2) long-term – for the term more than 10 years;
- 3) short-term – for the term less than 10 years.

3. Environmental institutions, state forestry institutions, specialized wildlife conservation organizations, to which state nature preserves are assigned, take measures for the protection and restoration of objects of the state natural reserve fund located in them through special security services in accordance with article 32 of this Law.

Footnote. Article 68 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 the day its first official publication).

Article 69. Special aspects of regime of protection and use of the state nature sanctuaries

1. In state nature preserves, the following activities are prohibited:

1) in the complex state nature sanctuaries – economic activity creating threatening to preservation of natural complexes, introduction of alien species of plants and animals;

2) hunting, catching, by any manner of means, of animals, except for fish, introduction of alien species of animals, destruction of nests, burrows, lairs and other habitats, collection of eggs, except for cases of removal for the purposes of scientific research, reproduction and land reclamation by the permission of the authorized body - in zoological state nature preserves;

3) in botanical state nature sanctuaries – grazing of livestock, haying, all the types of forest felling, gathering of flowers, excavation of roots, nodules and bulbs of plants, starting fires, ride and movement out of existing roads of transport vehicles, introduction of alien species of plants and animals, equally as the other actions causing or that may cause damage and destruction of vegetation;

4) in hydrogeological state nature sanctuaries – extraction of rock, gravel, sand and other mineral resources, destruction of caves, performance of earthwork operations, actions that may cause a change of natural hydrological regime, surveying works and scientific researches linked with violation of natural components of a state nature sanctuary.

1-1. In complex state nature reserves, hunting and fishing shall be allowed by the authorized state body in the field of protection, reproduction and use of wildlife within the

permissible volume of withdrawal of wildlife objects that do not threaten the conservation of objects of the state nature reserve fund, on the basis of biological substantiation.

1-2. In zoological state nature preserves, agricultural activity (cultivation of crops, haymaking, livestock grazing) and beekeeping are permitted under the condition of obeying the established regime.

2. Special aspects of regime of the state nature sanctuaries shall be determined by a passport.

3. State nature sanctuaries may be used in scientific, environmental and educational, touristic, recreation and restricted economic purposes.

Owners of land fields and land users shall have the right to carry out economic activity in the state nature sanctuaries in compliance with established restrictions.

Footnote. Article 69 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 the day its first official publication); dated 06.04.2024 № 71-VIII (effective sixty calendar days after the date of its first official publication).

Chapter 15. STATE PRESERVED AREAS

Article 70. Definition, purposes and tasks of a state preserved area

State preserved area – especially protected natural area with differentiated types of protection regime intended for preservation and restoration of the objects of the state natural conservation fund and biological diversity on the land fields and aquatic areas reserved for the state natural conservations, state national nature parks, state nature sanctuaries.

Article 71. Procedure for creation of the state preserved zones

1. State preserved areas shall be declared on the land fields of all the categories without their withdrawal from the owners of land fields and land users.

2. Owner of a land field or land user shall be obliged to ensure the right of restricted intended use of the land field on which a state preserved area is located.

Article 72. Special aspects of protection and use of the state preserved areas

1. In the state preserved areas, the activity shall be prohibited in case if it may cause changes of a natural image of protected landscapes or violation of a stability of environmental systems or threatens to preservation and reproduction of especially protected natural resources

2. State preserved areas shall include the fields with reservation and protection types of regime, as well as with regulated regime of economic activity.

3. State preserved areas may be used in all the purposes provided for especially protected natural areas, considering the special aspects of types of their protection regimes.

4. Restrictions to economic activity of the owners of land fields and land users in the state preserved areas shall be established by the Laws of the Republic of Kazakhstan.

5. Environmental institutions, state forestry institutions, specialized wildlife conservation organizations, to which state protected areas are assigned, take measures for the protection and restoration of objects of the state natural reserve fund located in them through special security services in accordance with article 32 of this Law.

6. In a territory of the state preserved areas, the geological survey, prospecting of mineral resources shall be permitted in concurrence with the authorized body considering the special environmental requirements established by the Environmental Code of the Republic of Kazakhstan.

Extraction of mineral resources shall be allowed in exceptional cases on the basis of the decision of the Government of the Republic of Kazakhstan at the recommendation of the authorized body for the study of the subsoil, agreed with the authorized body, taking into account special environmental requirements, established by the Environmental Code of the Republic of Kazakhstan.

Footnote. Article 72 as amended by the Law of the Republic of Kazakhstan dated 9 January 2007 № 213 (the order of enforcement see Article 2); dated 15.06.2017 № 73-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 12.27.2017 № 126-VI (shall be enforced upon expiry of six months after the day of its first official publication).

Article 73. State preserved area in the northern part of the Caspian Sea

1. Aquatic area of the eastern part of the Northern Caspian Sea with Volga and Ural rivers estuaries (within the Republic of Kazakhstan) is included into the state preserved area of the northern part of the Caspian Sea intended for preservation of fish resources, ensuring of optimal living environment and natural reproduction of sturgeons and other valuable fish species.

2. In a state preserved area in the northern part of the Caspian Sea, the possibilities for development of fishing industry, water transport, state geological survey, intelligence and extraction of raw hydrocarbons shall be ensured in consideration of special environmental requirements established by the Environmental Code of the Republic of Kazakhstan.

Footnote. Article 73 as amended by the Law of the Republic of Kazakhstan dated 9 January 2007 № 213 (the order of enforcement see Article 2).

Article 73-1. Types of objects of the state natural reserve fund

The objects of the state natural reserve fund shall include:

- 1) especially valuable plantings of the state forest fund;
- 2) wetlands;

- 3) key bird areas;
- 4) unique natural water bodies or their sections;
- 5) subsoil plots of special ecological, scientific, historical, cultural and recreational value;
- 6) rare and endangered species of plants and animals;
- 7) unique single objects of the plant world, having special scientific and (or) historical and cultural significance.

Footnote. Chapter 16 is supplemented by Article 73-1 in accordance with the Law of the Republic of Kazakhstan dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Chapter 16. OBJECTS OF THE STATE NATURAL CONSERVATION FUND

Article 74. Especially valuable plantings of the state forest fund

1. Especially valuable plantings of the state forest fund shall include valuable forest areas, fruit-tree plantings, areas of riparian and subalpine forests that may be included into the composition of especially protected natural areas or included into the following categories of especially protected natural areas:

- 1) forest fields having scientific significance including forest genetic reserves;
- 2) nut production zones;
- 3) subalpine forests.

2. In the fields of especially valued plantings of the state forest fund, the reserve or protection regime of their protection and use shall be established in accordance with this Law and the forest legislation of the Republic of Kazakhstan.

Article 75. Wetlands

1. Wetlands are natural and artificial reservoirs on the territory of the Republic of Kazakhstan, including marine areas, which serve as reserves for a significant population of species (subspecies) of plants or semiaquatic animals, primarily migratory waterfowl, including rare and endangered species of plants and animals, representing an international and republican resource.

2. According to their importance, wetlands shall be divided into those of international importance and those of national importance. They may be included in the existing specially protected natural areas or new specially protected natural areas may be created on their basis in accordance with the legislation of the Republic of Kazakhstan.

The list of wetlands of international importance shall be formed in accordance with international agreements to which the Republic of Kazakhstan is a party.

Lists of wetlands of international importance and wetlands of republican significance shall be approved by the authorized state body in the field of protection, reproduction and use of wildlife.

3. Reserve and (or) custom-made regimes or a regulated regime of economic activity shall be established on wetlands, ensuring the protection and restoration of habitats for waterfowl.

4. On wetlands, measures shall be envisaged for the protection and reproduction of species of the animal world, including rare and endangered ones. To ensure the conservation of wetlands, the authorized state body in the field of protection, reproduction and use of wildlife shall approve plans for their development.

Footnote. Article 75 as amended by the Law of the Republic of Kazakhstan dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 75-1. Important bird areas

1. A key bird area is an area that serves as a place of concentration for one or more species of birds during the nesting period, moulting on wintering grounds or resting during migration.

Areas of great scientific and educational importance may be classified as key ornithological territories. Natural habitats and artificially created objects may serve as key ornithological territories: reservoirs, ponds, artificial forest plantations in treeless areas, and others characterized by a high species diversity and abundance of birds.

2. Important bird areas of Kazakhstan shall be part of the national and international network of Key bird areas. With the assistance of the authorized state body in the field of protection, reproduction and use of wildlife in the republic, a catalogue of key ornithological territories of the country shall be published and periodically updated, which contains data on their spatial distribution and a description of these territories.

Footnote. Chapter 16 is supplemented by Article 75-1 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 the day its first official publication); as amended by the Law of the Republic of Kazakhstan dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 76. Unique natural water objects or their fields

1. Unique natural water objects or their fields shall include seas, rivers, lakes, glaciers and other surface water objects or their parts having especial environmental, scientific, historical and cultural, recreation significance.

2. Depending on significance, the unique natural water objects or their fields shall be included into the composition of the lands of especially protected natural areas of republican or local significance, as well as separate types of especially protected natural areas may be created within their borders.

3. Reserve, protection or regulated types of regime of water use shall be established in unique natural water objects or their fields ensuring their protection in accordance with this Law and water legislation of the Republic of Kazakhstan.

Article 77. Fields of subsoil representing especial environmental, scientific, historical and cultural, recreation value

1. Fields of subsoil representing especial environmental, scientific, historical and cultural, recreation value shall include:

1) geological objects – natural and artificial exposures in which there are reference or specific sections, specific tectonic structures, rare rock formations and minerals, meteorites, preserved fossil remains of fauna and flora;

2) geomorphological objects – terraces, alluvial lands, caves, ravines, canyons, waterfalls and other forms of relief reflecting demonstrably the processes of bulge forming and having especial value for tourism and recreation;

3) hydrogeological objects – subsurface waters and their outcroppings that differ by unique and rare properties;

4) fields of subsoil with cave drawings, ancient mine workings and other objects on use of subsoil having historical, archeological and ethnographic significance.

2. In the fields of subsoil representing especial environmental, scientific, historical and culture, recreation value, any activity threatening to preservation of geological, geomorphological and hydrogeological objects of the state natural conservation fund shall be prohibited in accordance with the legislation of the Republic of Kazakhstan.

Article 78. Rare and endangered species of plants and animals

1. The list of rare and endangered species of plants and animals shall be approved by the Government of the Republic of Kazakhstan and shall be formed by related groups.

1-1. **excluded by the Law of the Republic of Kazakhstan dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).**

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

2-1. Species of plants and animals, the number and conditions of sustainable existence of which have been restored to the limits that exclude a threat to their reproduction and preservation of the gene pool in a state of natural freedom, shall be subject to exclusion from the list of rare and endangered species of plants and animals.

3. **Is excluded by the Law of the Republic of Kazakhstan dated 25.01.2012 N. 548-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

4. Seizure of rare and endangered species of plants and animals, their parts or derivatives shall be carried out based on the decision of the Government of the Republic of Kazakhstan in accordance with the laws of the Republic of Kazakhstan "On flora" and "On protection, reproduction and use of wildlife".

Footnote. Article 78 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 the day its first official publication); dated 05.11.2022 № 157-VII (shall come into effect ten calendar days after the day of its first official publication); dated 02.01.2023 № 184-VII (shall come into effect upon the expiration of sixty calendar days after the day of its first official publication).

Article 79. Unique single objects of plant world having especial scientific and (or) historical and cultural significance

1. Unique single objects of plant world having especial scientific and (or) historical and cultural significance shall include single specimens and (or) separate groups of trees, bushes and herbage plants characterizing by unique properties (history of origin, life duration, form and size of body, top, sizes of flowers, fruits and seeds, other properties) being in natural environment or in artificial conditions that represent scientific interest and (or) historical and cultural significance.

2. Selection of unique single objects of plant world having especial scientific and (or) historical and cultural significance, as objects of the state natural conservation fund shall be carried out upon conduct of land use planning, forest planning, urban planning works.

3. Protection of unique single objects of plant world having especial scientific and (or) historical and cultural significance shall be carried out by the state. Individuals and legal entities shall be obliged to take measures on protection of unique single objects of plant world having especial scientific and (or) historical and cultural significance declared as objects of the state natural conservation fund.

Chapter 17. ELEMENTS OF ENVIRONMENTAL NETWORK LINKED WITH A SYSTEM OF ESPECIALLY PROTECTED NATURAL AREAS

Article 80. Definition of elements of environmental network linked with a system of especially protected natural areas

1. Elements of environmental network are the natural complexes representing a set of the land fields, water surface and air space positionally connected between each other that on condition of their environmental systems and own location are linked with a system of especially protected natural areas and ensure stability of natural and cultural landscapes, preservation of biological diversity of the territory of the country.

2. Elements of environmental network shall include the land fields of health-improving and recreation purpose, protective zones of especially protected natural areas, environmental corridors, state forest fund, water protection zones, water objects sheets and other protected fields of natural objects, as well as hunting lands.

3. Procedure for establishment and use of the land fields of health improving and recreation purpose, state forest fund, water protection zones and water objects sheets, hunting lands, fishery waters shall be regulated by the special legislation of the Republic of Kazakhstan.

Article 81. Environmental corridors

1. Ecological corridors are created on the parcels of lands of all categories without withdrawing them from landowners and land users to ensure spatial communication between specially protected natural areas and other elements of the ecological network in order to preserve objects of the state natural reserve fund, biological diversity, to protect and arrange natural ways of migration of animals and spread of plants that live and grow in specially protected natural areas.

2. In the fields of environmental corridors, the regulated regime of using these lands ensuring preservation of wild animals at the places of their temporary habitation, passages during migration, preservation of the habitats of wild plants shall be established.

Special aspects of the regime of environmental corridors shall be determined by a passport of especially protected natural area.

3. Decision on creation of environmental corridor shall be made by local executive bodies of oblasts, cities of republican significance, the capital on suggestion of the natural scientific rationale.

Borders of environmental corridors shall be established according to the natural geographic boundaries and shall be designated by special signs afield.

Ecological corridors are protected and managed by environmental institutions and specialized wildlife conservation organizations. The assignment of ecological corridors to environmental institutions and specialized wildlife conservation organizations is carried out by the decision of the authorized body.

4. General scheme of organization of territory of the Republic of Kazakhstan, multiregional schemes of territorial development, complex schemes of urban planning and other urban planning documentation concerning a territory of environmental corridors shall be subject to coordination with the authorized body.

Footnote. Article 81 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 the day its first official publication).

Chapter 18. FINAL CONCLUSIONS

Article 82. Compensation for harm inflicted by a breach of the legislation of the Republic of Kazakhstan in the field of especially protected natural areas

Individuals and legal entities that inflicted harm to especially protected natural areas and objects of the state natural conservation fund shall be obliged to compensate for it to environmental organizations in accordance with the legislation of the Republic of Kazakhstan in full measure, in amount of expenses for restoration of especially protected natural area and objects of the state natural conservation fund considering the incurred losses.

Article 83. Liability for the breach of the legislation of the Republic of Kazakhstan in the field of especially protected natural areas

Breach of the legislation of the Republic of Kazakhstan in the field of especially protected natural areas shall entail liability established by the Laws of the Republic of Kazakhstan.

Footnote. Article 83 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 84. International cooperation in the field of especially protected natural areas

International cooperation in the field of especially protected natural areas shall be carried out in accordance with the legislation of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

Article 84-1. Legal and social protection of officials and specialists of environmental institutions

1. Officials and specialists of environmental institutions are subject to legal and social protection in accordance with the legislation of the Republic of Kazakhstan.

2. Officials and specialists of environmental protection institutions, performing environmental protection functions in rural areas, shall receive the official salaries, increased by at least twenty-five percent in accordance with the legislation of the Republic of Kazakhstan.

3. Officials and specialists of environmental institutions are provided with land plots for livestock grazing and haymaking by the decision of local executive bodies.

Footnote. Chapter 18 is supplemented by Article 84-1 in accordance with the Law of the Republic of Kazakhstan dated 15.06.2017 № 73-VI (the order of enactment, see Art. 2).

Article 84-2. Transitional provisions

1. The provisions of parts two, three, four and five of paragraph 2 of Article 23 of this Law shall be applied for the purposes of extraction of solid minerals (with the exception of common minerals) exclusively at a deposit discovered in a subsoil plot located within an exploration site or geological allotment under a contract for exploration of solid minerals or a license for the exploration of solid minerals, concluded or issued before the entry into force of this Article.

2. The prohibition established by subparagraph 3) of paragraph 1 of Article 48 of this Law shall not apply to the contracts and licenses concluded and issued before the entry into force

of this Article for conducting operations for the exploration or production of solid minerals (with the exception of common minerals).

Footnote. The law is supplemented by Article 84-2 in accordance with the Law of the Republic of Kazakhstan dated 02.01.2021 № 399-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 85. Order of enforcement of this Law

1. This Law enters into force from the date of its official publication, with the exception of Article 32 that enters into force from 1 January 2007.

2. The Law of the Republic of Kazakhstan dated 15 July 1997 “On especially protected natural areas” (The Bulletin of the Parliament of the Republic of Kazakhstan, 1997, № 17-18, Article 215; 1999, № 11, Article 357; 2001, № 3, Article 20; № 24, Article 338; 2004, № 10, Article 57; № 23, Article 142; 2006, № 3, Article 22) shall be deemed to have lost force.

The President
of the Republic of Kazakhstan