



On mass media

Unofficial translation

The Law of the Republic of Kazakhstan dated June 19, 2024 № 93-VIII LRK.

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This Law regulates public relations in the field of mass media, establishes their legal basis and is aimed at ensuring the constitutional right to freedom of speech and creativity.

Chapter 1. BASIC PROVISIONS

Article 1. The basic concepts used in this Law

The following basic concepts are used in this Law:

- 1) subscriber – an individual or legal entity that has concluded a contract with a broadcasting operator to receive broadcasting services;
- 2) simplified accreditation procedure – an automated process of accreditation of mass media and their journalists (media representatives) by issuing an accreditation card;
- 3) information sovereignty – the independence of the information space of the Republic of Kazakhstan, which determines the socio-political independence of the citizens of the Republic of Kazakhstan in the formation of the information agenda;
- 4) children's television, radio program – a television, radio program intended for children under the age of 12 years, having a plot typical for this age group;
- 5) editor-in-chief (editor) is an individual who heads the editorial office of a mass media and has the appropriate authority to produce and distribute mass media products;
- 6) mass media – periodical print edition, TV, radio channel, online publication;
- 7) distributor of mass media – an individual or legal entity that distributes mass media products under an agreement with its owner, publisher or on other legal grounds;
- 8) mass media products – the circulation or part of the circulation of a separate release of a periodical or audiovisual work, a separate release of a television or radio program, as well as information posted in an online publication;
- 9) the editorial office of a mass media is an individual or a creative team that is a structural subdivision of a legal entity that collects, prepares materials, releases and distributes mass media;
- 10) educational television, radio program – a television, radio program intended for a wide range of people, the content of which is aimed at educating the viewer or radio listener in the system of specific knowledge in a particular field of science, culture, production, art and social life;

- 11) unified media platform is an information system designed to implement the state information policy;
- 12) distributor of individual satellite and terrestrial receiving devices – an individual or legal entity distributing conditional access cards to the services of broadcasting operators, equipment designed for individual reception of television and radio signals of broadcasting operators licensed in the field of broadcasting and having their own satellite broadcasting systems on the territory of the Republic of Kazakhstan;
- 13) individual satellite and terrestrial receiving device – equipment designed for individual reception of television and radio signals;
- 14) multichannel audio transmission – transmission of two or more audio accompaniments in a TV program, providing the subscriber with the opportunity to choose a language if viewing;
- 15) free access television and radio channel – a television and radio channel distributed through digital terrestrial and satellite broadcasting to an unlimited number of people without charging for the right to view;
- 16) journalist (representative of the mass media) – an individual engaged in the collection, processing and preparation of messages and materials for the mass media on the basis of employment or other contractual relations with the editorial office of the mass media;
- 17) accreditation of a journalist (representative of the mass media) is the procedure for appointing a journalist and recognizing his powers by a state body and (or) an organization;
- 18) special status of a journalist – the status of a journalist providing for the protection of the rights and freedoms of a journalist, extended rights in the search, request, receipt and dissemination of information, as well as other special rights established by this Law;
- 19) multichannel broadcasting is a telecommunications system designed to distribute packages of television and radio channels;
- 20) mass media – mass media and Internet resource;
- 21) mass media monitoring is the process of collecting and analyzing mass media products for compliance with the legislation of the Republic of Kazakhstan, as well as for harming the moral development of society and violation of universal, national, cultural and family values;
- 22) mass media products – mass media products, as well as information posted on an Internet resource;
- 23) distribution of mass media products - sale (subscription, delivery, distribution) of periodicals, broadcasting of television and radio programs, audiovisual work, bringing television and radio programs to the consumer using telecommunications technical means and in telecommunications networks, as well as posting information in online publications or on the Internet resources;

24) the authorized body in the field of mass media (hereinafter referred to as the authorized body) is the central executive body responsible for state regulation in the field of mass media;

25) state information policy is a set of state measures aimed at creating and disseminating information that satisfies the interests of the state and society, the objectives of which are to strengthen and protect information sovereignty;

26) state-owned mass media - a mass media that has more than fifty percent of voting shares, participation shares in the authorized capital, and shares owned by the state in its authorized capital;

27) non-governmental mass media - a mass media with less than fifty percent of voting shares, participation shares in the authorized capital, and shares owned by the state in the authorized capital;

28) periodical printed publication – newspaper, magazine, almanac, bulletin, appendices to them, having a permanent name, current issue and issued at least once every three months;

29) mandatory television and radio channel - a television and radio channel included in the relevant list approved by the authorized body, mandatory for distribution through multi-channel broadcasting on the territory of the Republic of Kazakhstan, with the exception of digital terrestrial television and radio broadcasting networks in telecommunications networks;

30) domestic television and radio channel - a television and radio channel formed by television and radio companies registered in the territory of the Republic of Kazakhstan;

31) domestic television and radio programs - television and radio programs created by television and radio companies or individual and legal entities registered in the territory of the Republic of Kazakhstan and operating in the territory of the Republic of Kazakhstan and beyond;

32) state order for implementation of state information policy at the regional level – an order for the provision of services at the expense of budgetary funds for the implementation of state information policy at the regional level;

33) film, video production of pornographic and special sexually erotic nature - naturalistic, detailed fixation of sexual intercourse or demonstration of naked genitals in the process of sexual contact, contributing to the arousal of sexual desire or satisfaction of sexual needs that do not correspond to moral values, offend the honor and dignity of a person;

34) official communication – information provided and (or) disseminated through mass media by the owner of the information established in accordance with the Law of the Republic of Kazakhstan "On access to information";

35) state order for implementation of state information policy at the republican level – an order for the provision of services at the expense of budgetary funds for the implementation of state information policy, placed in the state mass media;

36) retransmission – reception and simultaneous or recorded distribution of television, radio programs, television, radio channels using telecommunications equipment and in telecommunications networks;

37) subsidizing part of the costs of satellite TV and radio broadcasting operators – non-refundable payments from the budget aimed at reimbursing part of the costs of satellite TV and radio broadcasting operators, with the exception of the national TV and radio broadcasting operator, in order to stimulate the population of towns of district significance, settlements, villages, rural districts to use the services of domestic satellite devices;

38) subtitles are a way of distributing information contained in a TV program by means of text duplication of the audio accompaniment of the original TV program;

39) a television set-top box is a separate technical device designed for receiving a digital television and radio signal by a subscriber;

40) television, radio channel – a mass media, which is a set of television, radio programs and audiovisual works, plots and materials formed in accordance with the broadcast network for subsequent broadcast and (or) retransmission;

41) a package of television and radio channels is a set of television and radio channels formed by a broadcasting operator for distribution through multi-channel broadcasting in telecommunications networks;

42) a television or radio program is a meaningfully completed part of a television or radio channel, which has the appropriate name, broadcasting volume and can be used independently of other parts of the television or radio channel;

43) a television and radio company is an individual or legal entity that owns a television or radio channel, or its branch (representative office), which has received a certificate of registration of a television or radio channel;

44) television and radio broadcasting – the formation and (or) distribution of television and radio channels using telecommunications equipment and in telecommunications networks for public reception by the subscriber in open or encoded form;

45) technical means of broadcasting – a set of radio-electronic means and receiving and transmitting technical devices that ensure the production, formation, distribution and (or) reception of television, radio channels and television, radio programs;

46) national broadcasting network – a system of technical means of telecommunications and broadcasting owned by the state, ensuring the distribution of television and radio signals on the territory of the Republic of Kazakhstan;

47) broadcasting service – reception, processing, storage, transmission, delivery of television and radio programs to the subscriber;

48) a television and radio broadcasting operator is an individual or legal entity that has received a license to engage in activities for the distribution of television and radio channels;

49) broadcasting – the primary distribution of the signal of television and radio channels using technical means of telecommunications and in telecommunications networks;

50) correspondent point – a separate structural subdivision of a legal entity performing the functions of the editorial office of a mass media and collecting, storing, creating (preparing) information messages and (or) materials for this mass media, as well as distributing its products;

51) broadcasting grid – a list, sequence, name, time of broadcast of television and radio programs, reflecting the main directions of the program concept of broadcasting for a specific period;

52) censorship – preliminary coordination of mass media messages and materials with government agencies, officials and other organizations at their request or on other grounds in order to restrict or prohibit the dissemination of messages and materials or their individual parts;

53) conditional access card – a device containing the identifier of individual satellite and terrestrial receiving devices, providing subscriber with the access to the services of a broadcasting operator;

54) conditional access television and radio channel - a television and radio channel distributed by TV and radio broadcasting operators on the territory of the Republic of Kazakhstan for an unlimited number of persons, whose right to view is provided on the basis of a paid contract;

55) products of an erotic nature – a printed publication that demonstrates the sexual relations of people, intimate parts of the human body, with the exception of the genitals, and does not contain elements of pornography;

56) on the air – broadcasting of television, radio programs, audio-visual recordings using analog and digital electromagnetic systems.

Article 2. Freedom of speech and creativity, receipt and dissemination of information

1. Freedom of speech and creativity is guaranteed by the Constitution of the Republic of Kazakhstan. Censorship is prohibited.

2. Everyone has the right to freely receive and disseminate information in any way not prohibited by law. The list of information constituting state secrets of the Republic of Kazakhstan is determined by law.

3. Mass media are obliged to assist state bodies engaged in countering terrorism.

4. Disclosure of information constituting state secrets or other secrets protected by law, propaganda and justification of extremism or terrorism, dissemination of information revealing the techniques and tactics of anti-terrorist operations during their conduct, propaganda of narcotic drugs, psychotropic substances, their analogues and precursors, explosives and explosive devices, as well as the cult of cruelty, violence and pornography is prohibited.

5. The use of mass media for the purpose of committing criminal and administrative offenses is prohibited.

Note. For the purposes of this Law, propaganda in the mass media is understood as the dissemination of views, facts, arguments and other information, including intentionally distorted information, in order to form a positive public opinion about information prohibited by the laws of the Republic of Kazakhstan and (or) inducement to commit an illegal act or inaction of an unlimited number of persons.

Article 3. Legislation of the Republic of Kazakhstan on mass media

1. The legislation of the Republic of Kazakhstan on mass media 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. International treaties ratified by the Republic of Kazakhstan shall have priority over this Law. The procedure and conditions for the operation of international treaties in the territory of the Republic of Kazakhstan, to which the Republic of Kazakhstan is a party, are determined by the legislation of the Republic of Kazakhstan.

3. The specifics of regulating relations on the placement and dissemination of information on online platforms are regulated by the Law of the Republic of Kazakhstan "On online platforms and online advertising".

4. The legal relations regulated by this Law regarding the placement of a state order for the implementation of state information policy at the republican and regional levels are not subject to the legislation of the Republic of Kazakhstan on public procurement.

Article 4. Goals, principles and objectives of the mass media

1. The main goal of the mass media is to ensure the constitutional right to freedom of speech and creativity, as well as to inform society.

2. The main principles of mass media activity are:

- 1) the legality and reliability of the information disseminated;
- 2) objectivity and transparency;
- 3) equality of rights of individual and legal entities;
- 4) fair competition;
- 5) privacy;
- 6) compliance with the standards of professional and ethical behavior.

3. The main objectives of the mass media are:

- 1) creation and dissemination of objective and reliable information;
- 2) creation of high-quality domestic content aimed at the development of the individual, society and the state;
- 3) promoting the introduction of the latest technologies in the field of mass media;
- 4) the transition to self-regulation.

Article 5. The language of mass media distribution

1. The language of mass media distribution is the state and other languages.

2. The state shall ensure the right of everyone to use their native language when receiving and distributing mass media in accordance with the legislation of the Republic of Kazakhstan on languages.

3. The weekly volume of domestic television and radio programs broadcasting on the territory of the Republic of Kazakhstan in the state language in time must be:

1) from January 1, 2025 – at least fifty-five percent of the total volume of television and radio programs;

2) from January 1, 2027 – at least sixty percent of the total volume of television and radio programs.

The volume of television and radio programs in the state language in time intervals of six hours each, calculated from zero hours of local time, must be:

1) from January 1, 2025 – at least fifty-five percent of the total volume of television and radio programs;

2) from January 1, 2027 – at least sixty percent of the total volume of television and radio programs.

The requirement of this paragraph does not apply to TV channels broadcasting on the basis of international agreements.

4. TV channels using multichannel audio transmission must use the main audio in the state language.

5. The requirements of this article do not apply to foreign television and radio channels that have passed the registration procedure in accordance with Article 24 of this Law.

6. Broadcasting of domestic television and radio channels to foreign audiences is carried out in the state and other languages.

Article 6. Competence of the Government of the Republic of Kazakhstan in the field of mass media

The Government of the Republic of Kazakhstan:

1) develops the main directions of state policy in the field of mass media and organizes their implementation;

2) performs other functions assigned to it by the Constitution of the Republic of Kazakhstan, laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Article 7. Competence of the authorized body

The authorized body:

1) formulates and implements state policy in the field of mass media;

2) develops and approves regulatory legal acts in the field of mass media in accordance with this Law;

3) carries out registration and re-registration of mass media in accordance with this Law;

4) forms, places and controls the implementation of the state order for the implementation of the state information policy at the republican level;

5) provides grants for non-governmental mass media in accordance with the procedure established by the legislation of the Republic of Kazakhstan;

6) carries out state control over compliance with the legislation of the Republic of Kazakhstan on mass media, except for the cases provided for in subparagraph 4) of paragraph 2 of Article 8 of this Law, technical parameters of broadcasting quality and national broadcasting standards;

7) issues prescriptions upon detection of violations of the requirements of the legislation of the Republic of Kazakhstan on mass media;

8) carries out an examination of the products of foreign television and radio channels that have submitted applications for registration, for compliance with the legislation of the Republic of Kazakhstan;

9) organizes and conducts competitions on the allocation of frequency bands, radio frequencies (radio frequency channels) for broadcasting purposes;

10) organizes and conducts competitions on the formation and approval of the list of mandatory television and radio channels and the list of free-access television and radio channels distributed by the national broadcasting operator;

11) carries out licensing of broadcasting activities in accordance with the procedure established by the Law of the Republic of Kazakhstan "On permits and notifications";

12) determines the number of mandatory TV and radio channels depending on the distribution in multichannel broadcasting;

13) subsidizes part of the costs of satellite TV and radio broadcasting operators, with the exception of the national TV and radio broadcasting operator, for the sale of satellite receivers ;

14) approves the rules for subsidizing part of the costs of satellite TV and radio broadcasting operators, with the exception of the national TV and radio broadcasting operator , for the sale of satellite receivers;

15) develops and approves a methodology for determining the cost of grants for non-governmental media;

16) monitors the mass media;

17) exercises other powers provided for by this Law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Article 8. Competence of local representative and executive bodies of regions, cities of republican significance, the capital, districts (towns of regional significance)

1. Local representative bodies of regions, cities of republican significance, the capital, districts (towns of regional significance):

1) upon recommendation of local executive bodies of regions, cities of republican significance, the capital, districts (towns of regional significance), establish requirements for the placement of individual satellite and terrestrial receiving devices, cable communications

in residential complexes on the territory of the relevant administrative-territorial unit in accordance with standard rules approved by the authorized body for architecture, urban planning and construction;

2) exercise other powers in accordance with the legislation of the Republic of Kazakhstan to ensure the rights and legitimate interests of citizens.

2. Local executive bodies of regions, cities of republican significance, the capital:

1) implement the state information policy;

2) form, place and control the implementation of the state order for the implementation of the state information policy at the regional level in accordance with the procedure established by the legislation of the Republic of Kazakhstan;

3) develop and approve a methodology for determining the cost of services purchased for the implementation of a state order for the implementation of state information policy at the regional level, based on a standard methodology for determining the cost of services purchased for the implementation of a state order for the implementation of state information policy at the regional level, approved by the authorized body;

4) carry out state control over compliance with the requirement to prohibit the distribution of conditional access cards to the services of broadcasting operators and equipment intended for individual reception of television and radio signals from broadcasting operators that do not have a license in the field of broadcasting and do not have their own satellite broadcasting systems on the territory of the Republic of Kazakhstan;

5) have the right to broadcast the products and (or) state television and radio channels in public transport, which has an individual satellite and terrestrial receiving device;

6) exercise in the interests of local government other powers assigned to local executive bodies by the legislation of the Republic of Kazakhstan.

Article 9. State regulation in the field of mass media

1. State regulation in the field of mass media is carried out through state control over compliance with the legislation of the Republic of Kazakhstan on mass media, registration of mass media, as well as licensing of the activities of broadcasting entities.

2. In order to ensure the safety of products sold by the subject of control, the national security of the Republic of Kazakhstan, the increase of the competitiveness of domestic products and protection of the constitutional rights, freedoms and legitimate interests of individuals and legal entities, in accordance with the Entrepreneurial Code of the Republic of Kazakhstan, the state control over compliance with the legislation of the Republic of Kazakhstan on mass media is carried out.

3. State control over compliance with the legislation of the Republic of Kazakhstan on mass media is carried out by the authorized body and local executive bodies of regions, cities of republican significance, the capital, districts (towns of regional significance) in the form of inspections and preventive control with a visit to the subject (object) of control in accordance with the Entrepreneurial Code of the Republic of Kazakhstan, as well as in the form of

preventive control without visiting the subject (object) of control in accordance with the Entrepreneurial Code of the Republic of Kazakhstan and this Law.

4. State control over compliance with the legislation of the Republic of Kazakhstan on mass media in terms of compliance with the requirements provided for in Article 56 of this Law is carried out by the authorized body with the involvement of the state radio frequency service.

5. Preventive control without visiting the subject (object) of control is carried out by the authorized body and local executive bodies of regions, cities of republican significance, the capital, districts (towns of regional significance) by comparing and analyzing information obtained from various information sources, including in accordance with the procedure determined by the authorized body.

6. The object of preventive control without visiting the subject (object) of control over compliance with the legislation of the Republic of Kazakhstan on mass media is the activity of periodicals, television, radio channels, Internet publications, Internet resources, TV and radio broadcasting operators, distributors of individual satellite and terrestrial receivers.

7. The subjects of control are the owners of mass media, TV and radio companies, TV and radio broadcasting operators and distributors of individual satellite and terrestrial receivers.

8. The objectives of preventive control without visiting the subject (object) of control are timely suppression and prevention of violations, granting subjects of control the right to independently eliminate violations identified by the authorized body, local executive bodies of regions, cities of republican significance, the capital, districts (towns of regional significance) based on the results of preventive control without visiting the subject (object) of control, and reducing the administrative burden on them.

9. In case of detection of violations based on the results of preventive control without visiting the subject (object) of control by the authorized body, local executive bodies of regions, cities of republican significance, the capital, districts (towns of regional significance), a recommendation is sent to the subject of control no later than five working days from the date of detection of violations.

The recommendation must be handed to the subject of control personally under signature or in any other way confirming the facts of its sending and receiving.

A recommendation sent by one of the following methods is considered to have been handed over in the following cases:

- 1) on purpose – from the date of the note in the receipt recommendation;
- 2) by mail – from the date of notification of receipt of the postal item by registered mail;
- 3) electronically – from the date of sending by the authorized body, local executive bodies of regions, cities of republican significance, the capital, districts (towns of regional significance) to the e-mail address of the subject of control specified in the letter when requested by the authorized body, local executive bodies of regions, cities of republican significance, the capital, districts (towns of regional significance).

10. The recommendation on the elimination of violations identified by the results of preventive control without visiting the subject (object) of control must be executed within ten working days from the day following the day of its delivery.

11. In case of disagreement with the violations specified in the recommendation, the subject of control has the right to send an objection to the authorized body, local executive bodies of regions, cities of republican significance, the capital, districts (towns of regional significance) within five working days from the day following the day of delivery of the recommendation.

12. Failure to comply with the recommendations on the elimination of violations identified by the results of preventive control without visiting the subject (object) of control within the prescribed period entails the appointment of preventive control with a visit to the subject (object) of control by including in the semi-annual list of preventive control with a visit to the subject (object) of control.

13. Preventive control without visiting the subject (object) of control over compliance with the legislation of the Republic of Kazakhstan on mass media is carried out for mass media no more than once a day, for TV and radio companies, TV and radio broadcasting operators, distributors of individual satellite and terrestrial receiving devices - no more than once a week.

Article 10. Protection of children when distributing television and radio programs

The distribution of children's and educational television and radio programs, including the requirement to apply an age category mark, is carried out in accordance with the procedure provided for by the legislation of the Republic of Kazakhstan on protection of children from information harmful to their health and development.

Article 11. Information promoting suicide

1. Information promoting suicide is understood to mean information disseminated and (or) posted in any form that helps to induce an unlimited number of people to commit suicide, as well as information about ways to commit suicide and information about calls to commit suicide.

2. Information contributing to the motivation to commit suicide is information containing:

- 1) directions for suicide as a way to solve the problem;
- 2) a positive assessment or approval of committing suicide or actions aimed at suicide, or the intentions of a real (imaginary) interlocutor or a third person to commit suicide;
- 3) arguments that encourage suicide, including statements (judgments) that do not contain a direct or explicit motive, but are capable of inducing a decision to commit suicide, including by giving specific examples popularizing the actions of other people who have already committed suicide, and (or) containing statements (judgments) about the advantages that persons who committed suicide have received, including the idea of suicide as an acceptable, logical and natural act in modern society;

4) condemnation, ridicule of a failed suicide attempt, including a description of relationships, feelings and discussion of the topic by persons who have experience of suicide attempts;

5) announcements of acquaintance with the purpose of committing suicide (attempted suicide), including group and (or) assisted, carried out with someone's help or in someone's presence or under someone's supervision;

6) a survey (voting), a test, a rating for choosing a method of committing suicide, including the most painless, reliable, affordable, aesthetic method of suicide.

3. Information about ways to commit suicide includes:

1) information about one or more ways of committing suicide, including through the use of text, audio or video media to describe (demonstrate) processes, procedures depicting (reproducing) the sequence of actions and (or) possible results (consequences) of committing suicide, means and (or) places for committing suicide;

2) information about the set of conditions necessary for suicide, including the choice of place, time, method, preparatory actions that must be performed for suicide;

3) other information related to the methods of committing suicide.

4. Information about calls to commit suicide includes:

1) information containing a direct appeal about committing suicide, including through blackmail, requests, agitation, persuasion, demands;

2) other information related to calls to commit suicide.

5. It is prohibited to distribute and (or) post information promoting suicide, information about methods and calls to commit suicide.

Article 12. Protection of the rights of persons with disabilities in the distribution of television and radio programs

1. At least one television program of a news nature in the period from sixteen to twenty-two hours of local time is provided by sign language translation or translation in the form of subtitles.

Mandatory messages posted on TV channels are provided with sign language translation or translation in the form of subtitles.

2. The requirements of this article do not apply to foreign TV channels that have passed the registration procedure in accordance with Article 24 of this Law.

Article 13. Advertising in the mass media

Advertising in the mass media is carried out in accordance with the requirements of the Law of the Republic of Kazakhstan "On advertising".

Article 14. Distribution of mass media products

1. The distribution of mass media products is carried out by the decision of the owner himself or on contractual or other legal grounds by the editorial board, publisher, as well as citizens or organizations.

2. When preparing, publishing, reproducing and distributing mass media products, the consent of the person depicted is not required in the following cases:

1) if this person is present or participates in spectacular cultural events, socially significant events in the field of culture, sports events, peaceful gatherings and other public events;

2) if the disseminated information contains an image of a person and information related to the official and (or) public activities of such a person, as well as published by the person himself, his legal representative or an authorized person in sources to which access is not limited;

3) if the use of the depicted person is carried out in order to protect the constitutional order, public order, human rights and freedoms, public health and morals.

3. The retail sale of erotic products is prohibited:

1) in non-stationary premises;

2) in unsealed transparent packages;

3) in the premises and territories of educational, healthcare, children's institutions, religious buildings (structures);

4) persons under the age of eighteen.

4. It is prohibited to post information on job vacancies in the mass media that contains discriminatory requirements in the field of labor.

5. It is prohibited to disseminate personal and biometric data of a person in the mass media, including information about his parents and other legal representatives, other information that allows identification, about:

1) a minor who has suffered as a result of illegal actions (inaction);

2) minors, suspects and (or) accused of committing administrative and (or) criminal offenses.

The effect of subparagraph 2) of part one of this paragraph does not apply to minors found guilty by a court of committing grave and (or) especially grave crimes, including information about their parents and other legal representatives.

The restrictions established by this paragraph shall not apply to the cases provided for in part two of paragraph 5 of Article 67 of this Law.

6. Obstruction of the legally carried out distribution of mass media products by individuals or legal entities, as well as officials of state bodies, illegal confiscation, as well as destruction of mass media products are not allowed except on the basis of a court decision that has entered into force.

Chapter 2. ORGANIZATION OF MASS MEDIA ACTIVITIES

Article 15. The right to create mass media

1. The right to create mass media belongs to individuals and legal entities in accordance with the legislation of the Republic of Kazakhstan.

The mass media can be created both in the form of a legal entity and in the form of a structural subdivision of a legal entity.

The basis for the distribution of mass media products is the certificate of registration of the mass media.

2. It is prohibited for foreigners and foreign legal entities, stateless persons to directly and (or) indirectly own, use, dispose of and (or) manage more than 20 percent of shares (shares in the authorized capital, shares) of a legal entity – the owner of mass media in the Republic of Kazakhstan or a legal entity operating in this field.

Article 16. An owner of mass media

1. An owner of mass media is an individual or legal entity or an association of individual and (or) legal entities exercising the right to own, use and dispose of mass media.

2. The owner of the mass media has the right to act as an editorial office, editor-in-chief (editor), journalist, publisher, distributor of the mass media both in relation to his own and other mass media on the basis of a corresponding agreement.

Article 17. Publisher of mass media

1. A publisher of mass media is an individual or legal entity who provides material and technical support for the production of mass media products.

2. If the owner is not at the same time the publisher of the mass media, then the rights, obligations and responsibilities of the owner and publisher of the mass media are determined by a separate agreement.

Article 18. Editorial board of mass media

1. The editorial board of the mass media collects, prepares materials, issues and distributes the mass media on behalf of the owner.

2. The editorial board is headed by the editor-in-chief (editor).

3. The editor-in-chief (editor) cannot be:

1) citizens of the Republic of Kazakhstan recognized by the court as legally incompetent;
2) citizens of the Republic of Kazakhstan who, at the time of appointment, have a criminal record that has not been extinguished or has not been withdrawn in accordance with the procedure established by law;

3) foreigners or stateless persons;

4) citizens of the Republic of Kazakhstan who were the chief editors (editors) of mass media, through whose fault the release and distribution of mass media were terminated by a court decision, within three years from the date of entry into force of the court decision.

4. The relations between the owner of the mass media and the editorial board are regulated by the charter and the contract.

Article 19. Online edition

1. An online edition is an Internet resource, including an information agency that has passed the registration procedure with an authorized body as a mass media, the information

and communication infrastructure of which is located on the territory of the Republic of Kazakhstan.

2. An information agency is an online edition whose activities are aimed at collecting, processing and distributing messages and materials of an informational nature.

3. The messages and materials of the online edition must be accompanied by its name and release date.

4. When distributing news agency messages and materials by mass media, a link to the news agency is mandatory.

Article 20. Release data

1. Each issue of a periodical must contain the following information:

- 1) the name of the periodical;
- 2) the owner of the periodical;
- 3) the surname and initials of the editor-in-chief (editor);
- 4) the number and date of the certificate of registration or re-registration and the name of the issuing authority;
- 5) periodicity of publication;
- 6) serial number and date of publication of the periodical;
- 7) the circulation of this issue;
- 8) the name of the printing house, its address and the address of the editorial office.

2. Online publications must place the following in a specially designated section:

- 1) the name of the online edition;
- 2) the surname and initials or the name of the owner of the online publication;
- 3) the surname and initials of the editor-in-chief (editor);
- 4) the number and date of the certificate of registration or re-registration and the name of the issuing authority;
- 5) contact details of the editorial office (postal address, phone number, e-mail address).

3. At each broadcast, and in case of continuous broadcasting – at least four times a day, the media must announce its name.

Article 21. Mandatory copies of periodicals and storage of materials of television and radio programs

1. Mandatory free copies of periodicals on paper within thirty calendar days from the date of their release are sent by the owner of the mass media to the national libraries and the National State Book Chamber of the Republic of Kazakhstan, in electronic form, certified by the electronic digital signature of the editor-in-chief (editor), within three working days from the date of their release – to the National State Book Chamber of the Republic of Kazakhstan.

Electronic forms of mandatory free copies of periodicals, certified by means of an electronic digital signature of the editor-in-chief (editor), are sent to the state library of the region, cities of republican significance and the capital, which has been assigned the status of "central", within fifteen calendar days from the date of their release.

Electronic forms of mandatory free copies of periodicals, certified by means of an electronic digital signature of the editor-in-chief (editor), are sent to the authorized body on the day of their manufacture.

2. TV and radio channels are obliged to keep records of their own TV and radio programs that have been broadcast for six months, as well as record them in the registration log of their broadcast work and keep it for at least one year from the moment of the last entry in it. Records of historical or cultural value are preserved in accordance with the procedure determined by the legislation of the Republic of Kazakhstan on the national archival fund and archives.

3. The authorized body shall form an electronic archive of mandatory free copies of periodicals.

Article 22. Registration or re-registration of mass media

1. Periodicals, television and radio channels operating in the territory of the Republic of Kazakhstan are subject to mandatory registration.

Registration of periodicals with a circulation of less than five hundred copies distributed within one organization and aimed at covering its activities, bulletins of judicial practice, official, regulatory and other acts is not required.

The Internet resource has the right to carry out its activities as an online publication in accordance with Article 19 of this Law.

2. Registration or re-registration of a periodical, an online publication and a television and radio channel shall be carried out in accordance with the procedure determined by the authorized body.

3. When registering a periodical, online publication or television, radio channel, as well as upon receipt of a duplicate document certifying the registration of a periodical, online publication or television, radio channel, a fee is charged in accordance with the procedure determined by the Code of the Republic of Kazakhstan "On taxes and other mandatory payments to the budget" (Tax Code).

4. The authorized body refuses to issue a certificate of registration or re-registration on the following grounds:

1) if the authorized body has previously issued a certificate of registration or re-registration of a periodical, Internet publication, television, radio channel with the same name and distribution in the same territory or similar to the extent of its confusion with the name of a previously created periodical, Internet publication, television, radio channel;

2) if the content of the application for registration or re-registration of a periodical or online publication does not meet the requirements of paragraph 5 of this article, or if the content of the application for registration or re-registration of a television or radio channel does not meet the requirements of paragraph 6 of this article;

3) if the fee for registration of a periodical, an online publication or a television or radio channel has not been paid;

4) if, due to a change of ownership, the number and date of the contract confirming the transfer of ownership rights to the periodical, online publication or television, radio channel to another person are not indicated in the application for the re-registration of a periodical, online publication or television, radio channel;

5) if a periodical printed publication, an online publication or a television or radio channel with the same name (part of the name) and the same thematic focus, the release of which was previously discontinued by the court, is declared for registration, or a periodical printed publication, an online publication or a television or radio channel duplicating the name and thematic focus is declared, as well as in the case of an application filed by the owner or the editor-in-chief (editor) of a periodical, an online publication or a television or radio channel, the release of which was terminated by a court decision, within three years from the date of entry into force of the court decision.

5. In the application for registration or re-registration of a periodical, an online publication the following must be indicated:

1) surname, first name and patronymic (if it is indicated in the identity document), individual identification number, place of residence of the owner of a periodical or online publication – for an individual, name, business identification number, location of the owner of a periodical or online publication – for a legal entity;

2) the language (s) of the periodical or the materials and messages of the online publication;

3) estimated frequency of release;

4) the main thematic focus;

5) the territory of distribution;

6) surname, first name, patronymic (if it is indicated in the identity document) of the editor-in-chief (editor);

7) the address of the editorial office.

6. In the application for registration or re-registration of a TV or radio channel, the following must be indicated: 1) surname, first name and patronymic (if it is indicated in the identity document), individual identification number, place of residence of the owner of the TV and radio channel – for an individual, name, business identification number, location, organizational and legal form of the owner of the TV and radio channel – for a legal entity;

2) the thematic focus of the TV and radio channel, indicating the average daily volumes of its own and retransmitted broadcasting.

The application is accompanied by:

1) the obligation to record and store broadcast and retransmitted television and radio programs for six months;

2) a form of information on the existence of property rights of the owner of a television and radio channel for premises and areas with a separate entrance or for their lease, including:

special premises for the placement and operation of technical means necessary for the functioning of broadcasting (studio, hardware, auxiliary);
premises for the placement of creative staff (editorial);
premises for administrative and managerial staff.

7. The owner of a periodical publication reserves the right to start production of a periodical publication within three months from the date of receipt of the registration certificate.

The owners of the TV and radio channel reserve the right to start distributing TV and radio programs within six months from the date of receipt of the registration certificate.

The owners of the online publication must begin distributing messages and materials within ten working days from the date of receipt of the registration certificate.

8. The certificate of registration or re-registration of a periodical, online publication or television, radio channel by a decision of the authorized body shall be deemed invalid in cases of missing the release date of a periodical, online publication or television, radio channel, as well as the termination of the production of a periodical, online publication or television-, a radio channel for three months, except in cases of suspension by the court of the release of a periodical, an online publication or a television or radio channel.

The certificate of registration or re-registration of an online publication by the decision of the authorized body is recognized as invalid if, according to the results of state control, it is revealed that the information and communication infrastructure of the owner of the online publication is located outside the Republic of Kazakhstan.

9. A periodical printed publication, an online publication are subject to re-registration in cases of a change of ownership or a change in its name, as well as the name, language of the publication or materials and messages, the territory of distribution, the main thematic focus and frequency of release.

The TV and radio channel is subject to re-registration in cases of a change of ownership or a change in the organizational and legal form, name, as well as the name of the TV and radio channel.

Article 23. The procedure for suspending or terminating the release of mass media product or mass media or the distribution of mass media or mass media products

1. The suspension or termination of the release of mass media product or mass media registered with the authorized body, or the distribution of mass media or mass media products is possible by decision of the owner or the court.

2. Suspension means the temporary cessation of the release of one or more issues of a periodical, the airing of a television, radio program, television, radio channel, the temporary suspension of the activities of an online publication, as well as the distribution of mass media products until the elimination of the reasons that served as the basis for the suspension.

The suspension of the release of mass media product or mass media or the distribution of mass media or mass media products is allowed for a period of no more than three months.

3. The grounds for suspending the release of mass media product or mass media or the distribution of mass media products or mass media in accordance with the procedure established by the laws of the Republic of Kazakhstan are: propaganda or agitation of the cult of cruelty and violence, social, racial, national, religious, class and tribal superiority, disclosure of information constituting state secrets or other legally protected secrecy, dissemination of information promoting suicide, disclosing the techniques and tactics of anti-terrorist operations during their conduct, propaganda of narcotic drugs, psychotropic substances, their analogues and precursors, explosives and explosive devices, distribution of television, radio programs, television, radio channels, as well as demonstration of pornographic and special sexually erotic film products, use of mass media for the purpose of violation of conditions for conducting election campaigning, implementation of activities by foreigners, stateless persons, foreign legal entities and international organizations that impede and (or) facilitate the nomination and election of candidates, political parties that have nominated a party list, to achieve a certain result in elections, conduct campaigning during its prohibition, compulsion to participate or refuse to participate in a strike, violations of the legislation of the Republic of Kazakhstan on the procedure for organizing and holding peaceful assemblies, on copyright and related rights on the Internet, as well as violation of the requirements provided for in paragraph 9 of Article 22 of this Law.

4. The grounds for stopping the release of mass media product or mass media or the distribution of mass media or mass media products are: propaganda or agitation of a violent change in the constitutional order, violation of the integrity of the Republic of Kazakhstan, undermining the security of the state, war, propaganda of extremism or terrorism, publication of materials and dissemination of information aimed at inciting interethnic and interfaith hostility, as well as failure to eliminate the reasons for suspending the release of mass media product or mass media or the distribution of mass media products or mass media within the prescribed period.

5. In case of suspension or termination of the release of mass media product or mass media or the distribution of mass media or mass media products by decision of the owner or the court, a notification and (or) a court decision shall be sent to the authorized body.

The termination of the release of mass media or the distribution of mass media products entails the cancellation of the certificate of registration or re-registration.

6. In case of suspension or termination of the release of mass media or distribution of mass media products by a court decision that has entered into force, when the mass media is an Internet resource, the authorized state bodies, owners of mass media are obliged to suspend or stop the release of mass media product or distribution of mass media products on the territory of the Republic of Kazakhstan.

7. The entry into force of a court decision to suspend the release of mass media or the distribution of mass media products, when the mass media is an Internet resource, entails a

ban on the use of a domain name with the same or duplicate name for a period of no more than three months.

A court decision to stop the release of mass media or the distribution of mass media products, when the mass media is an Internet resource, entails the cancellation of domain name registration and a ban on the use for one year of a domain name with the same or duplicate name, the registration of which was canceled by a court decision.

Article 24. Activities of foreign mass media in the territory of the Republic of Kazakhstan

1. Foreign television and radio channels distributed by TV and radio broadcasting operators in the territory of the Republic of Kazakhstan are subject to mandatory registration with the authorized body.

Registration and re-registration of foreign television and radio channels are carried out by representatives of foreign television and radio companies.

Registration or re-registration of foreign television and radio channels is carried out in accordance with the procedure determined by the authorized body.

2. To carry out activities on the territory of the Republic of Kazakhstan, the owners of foreign television and radio channels:

1) carry out mandatory state registration of a legal entity or registration of a branch (representative office) of a foreign legal entity in accordance with the procedure established by the legislation of the Republic of Kazakhstan on state registration of legal entities and registration of branches and representative offices;

2) provide broadcasting of domestic television and radio programs in the weekly volume of broadcasting of a foreign television and radio channel in the amount of at least ten percent of the total volume of television and radio programs with an update once every three months and (or) according to the same requirements, provide translation of broadcast television and radio programs of educational, cultural, educational, sports- entertainment and leisure activities in the state language.

3. Registration of foreign television and radio channels is carried out after the examination of their products for compliance with the legislation of the Republic of Kazakhstan.

Registration of foreign television and radio channels of a religious direction is carried out after a religious examination conducted in accordance with the legislation of the Republic of Kazakhstan.

4. The activities of owners of foreign television and radio channels in the territory of the Republic of Kazakhstan, who have fully or partially a state block of shares (participation shares, shares) in the authorized capital, as well as persons affiliated with them, are carried out with the creation of a legal entity in the territory of the Republic of Kazakhstan with participation in the authorized capital of no more than twenty percent of the block of shares (participation shares, shares) of foreign legal entities.

The head of the specified legal entity and (or) the person (editor) who prepares and airs a television or radio channel may not be:

- 1) citizens recognized by the court as legally incompetent;
- 2) citizens who, at the time of appointment, have a criminal record that has not been extinguished or has not been withdrawn in accordance with the procedure established by law;
- 3) foreigners or stateless persons;
- 4) citizens who were the chief editors (editors) of the mass media, through whose fault the release (airing) of the mass media was terminated by a court decision, within three years from the date of entry into force of the court decision.

5. The re-registration of a foreign television and radio channel is carried out in cases of a change of ownership or a change in the organizational and legal form of a legal entity, the name, the main thematic focus of the television and radio channel, the creation of a new legal entity or branch (representative office) that has passed the procedure of state registration of legal entities and registration of branches and representative offices in the territory of the Republic of Kazakhstan.

Article 25. Grounds for refusal to register foreign mass media

1. The authorized body refuses to issue a certificate of registration of a foreign television and radio channel to a representative of a television and radio company if:

- 1) the application does not meet the requirements established by the authorized body;
- 2) the fee for registration of TV and radio channels has not been paid;
- 3) the materials of a foreign television and radio channel contain propaganda or agitation of a violent change in the constitutional order, violation of the integrity of the Republic of Kazakhstan, undermining the security of the state, war, propaganda of extremism or terrorism, the cult of cruelty and violence, social, racial, national, religious, class and tribal superiority, information aimed at inciting ethnic and interfaith hostility, as well as pornographic and special sexually erotic film products, as well as information promoting suicide;
- 4) according to the results of the religious studies examination, there is a negative conclusion;
- 5) in relation to the products of a foreign television and radio channel, there is a court decision that has entered into force prohibiting its distribution on the territory of the Republic of Kazakhstan;
- 6) there is no information about the state registration (re-registration) of a legal entity or the registration (re-registration) of a branch (representative office) on the e-government web portal.

2. In case of refusal to register a foreign television or radio channel, a representative of a foreign television and radio company is given a reasoned refusal in writing.

3. The certificate of registration of a foreign television and radio channel shall be revoked by the authorized body within fifteen calendar days in cases where a foreign television and radio channel ceases to operate a legal entity in the territory of the Republic of Kazakhstan or removes a branch (representative office) from the registration provided for in paragraph 2 of Article 24 of this Law without creating a new legal entity or a branch (representative office).

4. In case of violation of the legislation of the Republic of Kazakhstan by a foreign television or radio channel, the authorized body shall apply to the court for revocation of the certificate of registration, except for the case provided for in paragraph 3 of this Article.

5. If a certificate of registration is revoked from a foreign television or radio channel, the authorized body shall issue an order to the operators of television and radio broadcasting to take measures to restrict the broadcast and (or) retransmission of a foreign television or radio channel on the territory of the Republic of Kazakhstan.

6. In case of recognition by the court of information disseminated by a foreign television or radio channel that contradicts the requirements of the laws of the Republic of Kazakhstan, the distribution of a foreign television or radio channel in the territory of the Republic of Kazakhstan is suspended or terminated.

Chapter 3. RIGHTS AND DUTIES OF A JOURNALIST

Article 26. Rights and obligations of a journalist

1. This Law recognizes the special status of a journalist, which provides conditions for his professional activity.

2. A person has the status of a journalist during the period of professional activity and being in an employment or other contractual relationship with the editorial office of mass media in accordance with the procedure established by the legislation of the Republic of Kazakhstan.

3. A journalist has the right to:

1) collect, process, prepare messages and materials, request, receive and disseminate information;

2) visit state bodies, organizations of all forms of ownership and be accepted by their officials in connection with the exercise of their official duties, attend all events held by the state bodies and (or) organizations that accredited him, except in cases when a decision has been made to hold a closed event;

3) make recordings, including using audiovisual equipment, film and photography, except in cases prohibited by the laws of the Republic of Kazakhstan;

4) to be present in the area of natural disasters, at peaceful gatherings, as well as in other forms of expression of public, group and personal interests upon presentation of a journalist's identity card, a distinctive sign;

5) gain access to documents and materials, with the exception of information constituting state secrets and other secrets protected by law;

6) verify the accuracy of the information received;

7) contact specialists when checking the received information materials;

8) distribute the messages and materials prepared by him under his signature, under a conditional name (pseudonym);

9) refuse to publish the material under his signature if its content, after editorial revision, contradicts the personal beliefs of the journalist;

10) preserve the secrecy of authorship and sources of information, except in cases when these secrets and sources of information are made public at the request of the court.

4. A journalist must:

1) carry out the program of activity of the mass media with which he is in an employment or other contractual relationship, guided by the legislation of the Republic of Kazakhstan;

2) take measures to verify the reliability of the disseminated information by sending requests to relevant individuals and (or) legal entities or by other means not prohibited by the legislation of the Republic of Kazakhstan;

3) satisfy the requests of the persons who provided the information to indicate their authorship;

4) not to disseminate information that does not correspond to reality;

5) obtain consent from an individual and (or) a legal entity or their representatives to distribute personal, family, medical, banking, commercial and other legally protected secrets in the mass media, except in cases where the information is indicated in official communications and (or) distributed by the individual and (or) legal entity itself or their representatives in sources to which access is not limited;

6) respect the rights and legitimate interests of individuals and legal entities;

7) comply with the established requirements of access and intra-facility regimes during visits to particularly important state and strategic facilities;

8) comply with the norms of professional ethics (ethical behavior);

9) perform other duties assigned to him in accordance with the laws of the Republic of Kazakhstan.

Article 27. Legal guarantees of professional activity of a journalist (representative of the mass media)

1. When a journalist (a representative of the mass media) performs his duties in conditions involving a high risk to health and life, the owner of the mass media is obliged to provide him with the necessary equipment and uniforms.

2. In case of harm to life and (or) health in connection with the performance by a journalist (representative of the mass media) of his duties, the owner of the mass media is obliged to compensate him for the harm in the amount and in the manner provided for by the legislation of the Republic of Kazakhstan.

Article 28. Accreditation of journalists (media representatives)

1. Mass media, in agreement with information holders and organizations, may accredit their journalists to them.

In the case of a simplified accreditation procedure, journalists (media representatives) are issued accreditation cards.

The accreditation card is issued through a unified media platform in accordance with the procedure determined by the authorized body.

Standard rules for the accreditation of journalists are developed and approved by the authorized body. Information holders and organizations develop and approve the rules for accreditation of journalists based on the standard rules for the accreditation of journalists.

2. State bodies and (or) organizations with which a journalist is accredited are obliged to notify him in advance of meetings and other events, provide him with transcripts, protocols and other documents.

3. An accredited journalist has the right to attend meetings and other events held by the state bodies and (or) organizations that accredited him, except in cases when decisions have been made to hold a closed event.

4. A journalist is deprived of accreditation if he violates the rules of accreditation or for spreading false information discrediting the business reputation of the state bodies and (or) organizations accrediting him, if this is recognized by a court decision that has entered into force.

Article 29. Accreditation of mass media of the Republic of Kazakhstan abroad

The owner of the mass media of the Republic of Kazakhstan has the right to open correspondent offices, to accredit journalists in other states in accordance with the procedure provided for by the legislation of the Republic of Kazakhstan and the host state, unless otherwise provided for by international treaties ratified by the Republic of Kazakhstan.

Article 30. Activities of representatives of foreign mass media in the Republic of Kazakhstan

1. Accreditation of representative offices of foreign mass media and their journalists is carried out by the Ministry of Foreign Affairs of the Republic of Kazakhstan in accordance with the procedure established by it.

The Ministry of Foreign Affairs of the Republic of Kazakhstan maintains a register of representative offices of foreign mass media and their journalists.

2. The legal status and professional activities of foreign journalists accredited in the Republic of Kazakhstan and other representatives of foreign mass media are regulated by the legislation of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

3. The products of a foreign mass media distributed on the territory of the Republic of Kazakhstan, containing information contrary to the laws of the Republic of Kazakhstan and violating the Constitution of the Republic of Kazakhstan, are subject to judicial recognition as illegal with suspension or termination of its distribution on the territory of the Republic of Kazakhstan, and for foreign mass media that are Internet resources - suspension of access to these Internet resources, located on the territory of the Republic of Kazakhstan.

4. It is prohibited to engage in professional journalistic activities of foreign mass media and foreign journalists without appropriate accreditation.

5. The Ministry of Foreign Affairs of the Republic of Kazakhstan has the right to refuse accreditation to representative offices of foreign mass media and their journalists in accordance with the legislation of the Republic of Kazakhstan.

6. The refusal, suspension and revocation of accreditation of representative offices of foreign mass media and their journalists shall be carried out in accordance with the procedure determined by the Ministry of Foreign Affairs of the Republic of Kazakhstan.

Chapter 4. STATE INFORMATION POLICY

Article 31. State order for implementation of the state information policy

1. The state order for the implementation of the state information policy at the republican level shall be placed in accordance with the procedure determined by the authorized body.

2. The state order for the implementation of the state information policy at the regional level shall be placed in accordance with the procedure determined by the authorized body.

Article 32. Commission on state information policy

1. In order to take into account and protect public interests in the conduct of state information policy, as well as to meet the needs of the population for information, a Republican Commission on state information policy issues is established under the authorized body.

The main functions of the Republican Commission on state information policy are:

1) approval of the thematic directions of the state information policy at the republican level;

2) consideration of the list of thematic areas of state information policy at the regional level and development of recommendations in accordance with the procedure determined by the authorized body;

3) consideration of applications from applicants for a state order for the implementation of state information policy at the republican and regional levels, including those aimed at the production of content for children and the development of regional periodicals, and the development of recommendations in accordance with the rules for placing a state order for the implementation of state information policy at the republican and regional levels;

4) identification and approval of thematic areas of grants for non-governmental mass media at the national level and the amount of funding for them;

5) exercise of other powers provided for by the regulations on the Republican Commission on state information policy.

2. Representatives of public associations in the field of mass media are involved in the Republican Commission on state information policy on the basis of a ratio of at least one third of the total number of members.

3. In order to take into account and protect public interests in the implementation of state information policy, as well as to meet the needs of the population for information, regional commissions on state information policy are established under local executive bodies.

The main functions of the regional commissions on state information policy are:

1) consideration of applications from applicants for a state order for the implementation of state information policy at the regional level, including those aimed at the production of content for children and the development of regional periodicals, and the development of recommendations in accordance with the rules for placing a state order for the implementation of state information policy at the republican and regional levels;

2) sending applications from applicants for a state order for the implementation of state information policy at the regional level for consideration by the Republican Commission on state information policy and to receive recommendations in accordance with the rules for placing a state order for the implementation of state information policy at the republican and regional levels;

3) exercise of other powers provided for in the standard regulations on regional commissions on state information policy.

Article 33. Grants for mass media

1. Grants are provided to non-governmental mass media (hereinafter referred to as grants) for the development of domestic content, strengthening and protection of the information sovereignty of the Republic of Kazakhstan.

Grants are provided to non-governmental media, including for:

production of content for children;

development of regional periodicals.

2. The amount of grants in the state language must be at least two thirds of the total annual amount of grants.

3. Grants are divided into the following types:

1) short-term grants - grants, the implementation period of which is up to one year;

2) long-term grants - grants, the implementation period of which is from one year to three years.

4. Grants are provided on the basis of competitive selection.

The competition for grants is announced by the authorized body and the announcement is subject to posting on the Internet resource of the authorized body.

5. Thematic areas and amounts of grants are approved by the Republican Commission on state information policy in accordance with the priority directions of the state information policy of the Republic of Kazakhstan and are subject to consideration in accordance with the established procedure by the Republican Budget Commission.

6. Grants are provided and monitored in accordance with the procedure determined by the authorized body on a unified media platform.

The authorized body ensures openness and transparency of the procedures for granting and implementing grants in accordance with the legislation of the Republic of Kazakhstan on access to information.

7. The independent expert commission consists of experts with appropriate qualifications.

The composition and position of the independent expert commission are approved by the authorized body.

The grant allocation commission under the authorized body, based on the conclusion of an independent expert commission, makes a decision on granting grants in accordance with the procedure determined by the authorized body.

8. This article does not apply to relations arising in the process of granting grants, which are regulated by the Code of the Republic of Kazakhstan "On taxes and other mandatory payments to the budget" (Tax Code) and other laws of the Republic of Kazakhstan.

9. Control over the use of grants is carried out by the authorized body, as well as other state bodies within their competence established by the legislation of the Republic of Kazakhstan.

10. Grants are financed from budgetary funds approved by the laws of the Republic of Kazakhstan.

The budgetary funds provided for the provision of grants are used for the purposes and in accordance with the procedure established by this Law, other regulatory legal acts of the Republic of Kazakhstan, the contract for the provision and implementation of the grant for the entire period of their implementation, but not more than three years.

11. The exclusive copyright and related rights to the products produced under the grants belong to the mass media.

Chapter 5. GENERAL ISSUES OF THE RELATIONSHIP OF MASS MEDIA WITH CITIZENS AND ORGANIZATIONS

Article 34. Author's works and letters

1. The editorial board and the owner of mass media are obliged to respect the rights to the intellectual property rights used, including copyright and related intellectual property rights, as well as the processing and protection of personal data in accordance with the legislation of the Republic of Kazakhstan.

2. When publishing readers' letters, including information posted by users on mass media, it is allowed to shorten and edit their text without distorting the meaning of its content.

3. No one has the right to oblige the editorial office of the mass media to publish the material rejected by it, unless otherwise provided by this Law.

It is not allowed to post readers' letters in the mass media, including information posted by users on an Internet resource containing information prohibited by the laws of the Republic of Kazakhstan.

Article 35. Official statement

1. An official statement may be distributed orally or in writing, including in the form of an electronic document.

The dissemination of an official statement in oral form may be carried out through a public speech by the head or an authorized official of the information holder.

When distributed in writing, including in the form of an electronic document, the official statement must be signed by the head or an authorized official of the information holder (in the case of an electronic document, it is certified by an electronic digital signature).

2. An official statement is provided to the mass media on equal terms, regardless of their forms of ownership and affiliation.

3. To a written request from the mass media to clarify the provided official statements, the information holder must provide a response no later than two working days from the date of registration of the request in accordance with the procedure established by the legislation of the Republic of Kazakhstan, or give an answer indicating the deadline for its submission or a reasoned refusal.

In response to a written request for clarification of the provided official statements, requiring additional study and verification, the review period may be extended once by the head of the information holder for no more than fifteen calendar days, which is reported to the media within two working days from the date of extension of the review period.

4. If the information holder receives a written request from the mass media to clarify the official statements provided, whose competence does not include resolving the issues raised, this request must be sent to the relevant authorities within two working days with a notification to the mass media.

Requests from the media for clarification of the provided official statements, submitted in writing and (or) in the form of an electronic document, are sent signed and (or) certified by an electronic digital signature of the editor-in-chief (editor), an authorized person or an accredited journalist.

5. Responses to requests for clarification of the provided official statements, submitted in writing or in the form of an electronic document, shall be submitted in the language of the request.

Responses to requests for clarification of the provided official statements are submitted in the form of an incoming request, unless otherwise specified in the request itself.

6. Refusal to provide the requested information may be appealed by a representative of the mass media to a higher authority, an official in accordance with the procedure established by the laws of the Republic of Kazakhstan.

Article 36. Requests for information not included in official statements

1. The mass media has the right to contact the owner of the information with requests for information that is not included in the official statement.

When contacting the owner of the information with an oral request by phone, a journalist of the mass media is obliged to introduce himself and inform about the audio recording of the conversation if it is conducted.

Requests from the media for information submitted in writing and (or) in the form of an electronic document are sent signed and (or) certified by an electronic digital signature of the editor-in-chief (editor), an authorized person or an accredited journalist.

The response to the request is submitted within five working days from the date of its receipt in the form and in the language of the received request, unless otherwise specified in the request itself.

In cases where the requested information falls within the competence of several information holders and, when responding to a written request, information is required from other information holders, the review period may be extended once by the head of the information holder for no more than fifteen calendar days, as reported to the media within two working days from the date of extension of the review period.

2. The provision of information upon request is refused:

1) if the content of the request is not within the competence of the owner of the information to whom the request was addressed;

2) if the request does not comply with the requirements of this Law;

3) if the requested information relates to information with limited access;

4) before making a decision on the results of state control;

5) before making a final decision, developed on the basis of interdepartmental and intradepartmental correspondence or meetings in state bodies;

6) before the adoption of a mutual agreement on the conditions for the disclosure of documents received from foreign states or international organizations.

3. For failure to provide or late submission of a response to a request from the mass media, officials of state bodies shall bear responsibility established by the laws of the Republic of Kazakhstan.

4. Refusal to provide the requested information may be appealed by a representative of the mass media in accordance with the procedure established by the laws of the Republic of Kazakhstan to appeal against unlawful actions of public administration bodies and officials infringing on the rights of citizens.

Article 37. Mandatory statements

1. Authorized state bodies of the relevant industry within their competence and (or) local executive bodies, in case of violation of the living conditions of the population in a certain territory, are obliged to provide official media with reports on the current situation no later than three hours after the occurrence of the event in accordance with the procedure determined by the authorized body.

For failure to submit or late submission of official statements, officials of state bodies bear responsibility, established by the laws of the Republic of Kazakhstan.

2. The editorial offices of the mass media are obliged to publish free of charge:

1) a court decision that has entered into legal force if it contains a requirement to publish a response or refutation in the mass media, which was the defendant in this lawsuit;

2) official statements on the introduction of a state of emergency in accordance with Article 5 of the Law of the Republic of Kazakhstan "On the state of emergency";

3) official statements of authorized state bodies provided for in Article 47 of the Law of the Republic of Kazakhstan "On civil protection";

4) official statements of authorized state bodies provided for in paragraph 2 of Article 15 of the Law of the Republic of Kazakhstan "On countering terrorism";

5) official statements of authorized state bodies provided for in paragraph 1 of this Article

3. Mandatory statements are published by:

1) TV and radio channels broadcasting daily – during the day;

2) mass media with a different frequency or time of publication (broadcast) – within a period established by the authorized state bodies or a court for such publications.

Article 38. The right to refute or reply

1. A citizen or a legal entity has the right to demand from the mass media the refutation of information that does not correspond to reality and discredits his honor, dignity and business reputation, which were distributed in this mass media. Representatives of a citizen or a legal entity also have such a right.

If a citizen or a legal entity applies for a refutation, the editorial board of the mass media, which does not have evidence that the information disseminated by this mass media is true, is obliged to refute them in the same mass media.

The limitation period for claims against the mass media in connection with violation of the rights specified in this article is one year from the date of publication of such information in the mass media.

2. The request for refutation must be made in writing, indicating information that does not correspond to reality, the time and method of their dissemination by this media outlet.

The refutation in periodicals should be published in the same font and placed under the heading "Refutation" in the place where the refuted message or material was posted.

On television and radio, the refutation must be transmitted at the same time of day and in the same TV or radio program as the refuted message or material, and in case of closure of the specified TV or radio program - in another TV or radio program with an appropriate thematic focus.

The refutation in online publications should be published in the same font and under the heading "Refutation" in the same section where the refuted message or material was published.

The volume of the refutation may not exceed twice or more the volume of the refuted message or material.

3. A citizen or a legal entity in respect of whom information infringing on his rights or legitimate interests has been published by the mass media has the right to publish his response free of charge in the same mass media.

The response in periodicals should be published in the same font and placed under the heading "Response" in the place where the refuted message or material was posted.

On television and radio, the response must be transmitted at the same time of day and in the same TV or radio program as the refuted message or material, and in case of closure of the specified TV or radio program - in another TV or radio program with an appropriate thematic focus.

The response in online publications should be published in the same font and under the heading "Response" in the same section where the refuted message or material was published.

The volume of the response may not be twice or more than the volume of the refuted message or material.

The response of a citizen or legal entity or their representatives is published or transmitted :

in the mass media published (broadcast) daily – within five calendar days from the date of receipt of the request for the right to reply from a citizen or legal entity or their representatives;

in the mass media with a different frequency or time of publication (on air) – in the next planned release.

The mass media has the right to refuse to publish a response if the response of a citizen or a legal entity or their representatives contains information, the dissemination of which is prohibited by the laws of the Republic of Kazakhstan or otherwise violates the rights and legitimate interests of individuals and (or) legal entities or the state.

4. The demand of a citizen or a legal entity to publish a refutation or response in mass media is considered by the court if the mass media refused such publication or did not publish a refutation or response within a month, as well as in the case of liquidation of this mass media.

5. A refutation or response distributed in pursuance of a court decision that has entered into force shall be published:

1) in the mass media published (broadcast) at least once a week – within two days from the date of receipt of the request for refutation, unless otherwise established by the applicant;

2) in the mass media with a different frequency or time of publication (broadcast) – in the next planned issue, unless otherwise established by the applicant.

6. A citizen, in respect of whom information is disseminated that does not correspond to reality and discredits his honor, dignity and business reputation, has the right, along with the refutation of such information, to demand compensation for losses and moral damage caused by their dissemination, in accordance with the procedure determined by the legislation of the Republic of Kazakhstan.

A legal entity in respect of which information discrediting its business reputation has been disseminated has the right, along with the refutation of such information, to demand compensation for losses caused by their dissemination, in accordance with the procedure determined by the legislation of the Republic of Kazakhstan.

Article 39. Authorized person (unit) for interaction with mass media

1. In the central state and local executive bodies, departments of central state bodies, as well as state bodies directly subordinate and accountable to the President of the Republic of Kazakhstan (with the exception of the State Security Service), an authorized person is appointed or an authorized unit for interaction with the mass media is created, which distributes information on issues within the competence of the state body, as well as its activities.

An independent structural authorized unit and (or) a full-time position are created within the limits of the number of staff approved in accordance with the legislation of the Republic of Kazakhstan, and also report directly to the first head of a state body (with the exception of special state bodies).

In the state bodies specified in part one of this paragraph, with a staff of less than twenty-five people, the functions established by paragraph 2 of this article are assigned to one of the employees of the state body without exemption from his main functional duties.

2. The authorized person (unit) for interaction with the mass media carries out its activities on the basis of a provision developed on the basis of a standard provision approved by the authorized body, taking into account the specifics of the activities of special state bodies and the National Bank of the Republic of Kazakhstan.

3. The authorized person (unit) for interaction with the mass media interacts with the authorized body in accordance with the procedure determined by the authorized body.

4. The authorized person (unit) for interaction with the mass media takes advanced training courses in accordance with the procedure determined by the legislation of the Republic of Kazakhstan.

5. The authorized person (unit) for interaction with the mass media shall not be subject to exclusion according to the staffing (from the staffing table) of the state body specified in paragraph 1 of this article, except in cases of liquidation (abolition) or reorganization of the state body.

Article 40. Statements on consideration of the facts of cyberbullying in the mass media in relation to a child

1. A citizen or a legal representative of a child, in case of detection of cyberbullying facts against a child, has the right to apply in writing or in the form of an electronic document to the authorized body with a statement about the facts of cyberbullying committed against a child, indicating the name of the mass media in which illegal actions occur.

Applications submitted in writing or in the form of an electronic document are sent for signature and (or) certified by means of an electronic digital signature.

A statement on the facts of cyberbullying against a child is considered by an expert group within three working days from the date of its receipt.

The procedure for creating an expert group, as well as reviewing an application on the facts of cyberbullying against a child, is determined by the authorized body. The response is submitted in the official language or the language of the request.

In cases where the requested information falls within the competence of several information holders and, when responding to an application, information is required from other information holders, the review period may be extended once by the authorized body for no more than fifteen calendar days, and the applicant is informed within two working days from the date of extension of the review period.

2. The application is refused if the content of the application does not indicate the mass media in which the facts of cyberbullying against the child are committed.

3. For failure to provide or late submission of a response to the application of a citizen or a legal representative of a child on the facts of cyberbullying, officials of the authorized body shall bear responsibility established by the laws of the Republic of Kazakhstan.

4. Refusal to consider an application may be appealed by a citizen or a legal representative of the child in accordance with the procedure established by the laws of the Republic of Kazakhstan.

Note. For the purposes of this article, cyberbullying refers to systematic (two or more times) humiliating actions against a child, harassment and (or) intimidation of a child, including those aimed at forcing or refusing to commit any action using mass media.

Article 41. Public and professional councils on the issues of self-regulation of mass media activities

1. Public and professional council on self-regulation of mass media activities is established on a voluntary basis in order to develop the media industry.

2. Public and professional council on self-regulation of mass media activities carries out its activities on the basis of a standard provision approved by the authorized body.

3. Public and professional councils on self-regulation of mass media activities can be organized both at the republican and regional levels.

4. Republican public and professional council on self-regulation of mass media activities is formed from representatives of the professional community of mass media.

Regional public and professional councils on self-regulation of mass media activities are formed from representatives of local professional communities and mass media.

5. The main function of public and professional councils on self-regulation of mass media activities is the development of an Ethical Code of Journalists.

6. Recommendations of public and professional councils on self-regulation of mass media activities are subject to mandatory consideration and response by state bodies.

Chapter 6. ORGANIZATION OF BROADCASTING

Article 42. Subjects of broadcasting

The subjects of television and radio broadcasting in the Republic of Kazakhstan are television and radio companies, television and radio broadcasting operators, producers of television and radio programs and distributors of individual satellite and terrestrial receivers.

Article 43. TV and Radio company

1. The broadcasting company carries out activities on the formation of television and radio channels for their further distribution in broadcasting networks.

2. TV and radio companies:

1) register a television and radio channel with an authorized body as mass media;

2) ensure compliance with the technical parameters of the being formed television and radio channels in accordance with the requirements of national broadcasting standards, as well as the technical parameters of broadcasting quality;

3) ensure the quality of television, radio channels of television and radio programs in accordance with the rules for connecting technical means of broadcasting to the networks of broadcasting operators, technical operation of broadcasting systems and the requirements of national broadcasting standards, as well as technical parameters of broadcasting quality;

4) use technical means of forming television and radio channels that have certificates of conformity issued in accordance with the Law of the Republic of Kazakhstan "On technical regulation".

Article 44. National TV and radio broadcasting operator

1. The national television and radio broadcasting operator is a legal entity determined by the Government of the Republic of Kazakhstan, with a one hundred percent stake owned by the state, which is entrusted with the tasks of maintaining and developing the national television and radio broadcasting network.

2. National television and radio broadcasting operator:

1) grants TV and radio broadcasting companies and operators the equal right to use the national broadcasting network on the basis of contracts concluded with TV and radio broadcasting companies and operators in accordance with the legislation of the Republic of Kazakhstan;

2) ensures the safety of the unified property complex of the national broadcasting network ;

3) carries out the maintenance and operation of the national broadcasting network;

4) carries out the development and modernization of the national broadcasting network on the basis of modern advanced technologies;

5) carries out the broadcasting of mandatory television, radio channels and television, radio channels of free access;

6) carries out broadcasting of TV and radio channels of free access in the digital terrestrial broadcasting network in accordance with established tariffs on the basis of concluded contracts;

7) publishes on its Internet resource tariffs for services for the distribution of television and radio channels;

8) ensures the reservation of the satellite resource on the satellite for the distribution of mandatory television and radio channels in digital and analog broadcasting networks of the digital broadcasting network.

The national television and radio broadcasting operator has the right to carry out activities for the distribution of a TV newspaper in telecommunications networks.

Upon the introduction of a state of emergency in the territory of the Republic of Kazakhstan, the authorized body shall reimburse the national operator of television and radio broadcasting for the costs of broadcasting and (or) retransmission of non-state television and radio channels via analog and digital television and radio broadcasting in the absence of other sources of financing in accordance with the tariffs established by the national operator during the entire period of the state of emergency.

After the full transition to digital terrestrial broadcasting, the national television and radio broadcasting operator carries out further development of broadcasting networks at its own expense.

Article 45. TV and radio broadcasting operators

1. TV and radio broadcasting operators carry out activities for the distribution of television and radio channels in telecommunications networks through:

- 1) broadcasting and (or) retransmission of TV and radio channel packages;
- 2) broadcasting and (or) retransmission of TV and radio channels on the basis of contracts concluded with TV and radio companies in accordance with the civil legislation of the Republic of Kazakhstan;
- 3) retransmission of television and radio channels without changing the content of their television and radio programs, unless otherwise provided by the agreement between the operators of television and radio broadcasting and broadcasting companies.

The provision of this subparagraph does not apply to the cases provided for in paragraph 2 of Article 58 of this Law;

4) broadcasting and (or) retransmission of foreign television and radio channels that have passed the registration procedure in accordance with Article 22 of this Law, on the basis of contracts concluded between a television and radio broadcasting operator and a foreign television and radio company or a branch (representative office) of a foreign legal entity registered in accordance with the procedure established by the legislation of the Republic of Kazakhstan on state registration of legal entities and registration of branches and representative offices;

5) broadcasting and (or) retransmission of mandatory television, radio, television, radio channels of free and conditional access.

TV and radio broadcasting operators have the right to carry out activities for the distribution of a TV newspaper in telecommunications networks.

2. TV and radio broadcasting operators are obliged to: use technical means with certificates of conformity issued in accordance with the Law of the Republic of Kazakhstan "On technical regulation" for the distribution of television and radio channels;

carry out broadcasting and (or) retransmission in accordance with the rules of technical operation of broadcasting and the requirements of national broadcasting standards;

ensure the broadcasting of signals of television and radio channels in the entire network operated by them in digital format at the speed of the program stream in accordance with the standards of digital broadcasting when receiving a signal in digital format and using digital content delivery technologies;

carry out broadcasting and (or) retransmission of domestic television and radio channels in accordance with the technical parameters of broadcasting quality.

Article 46. Producer of TV and radio programs

1. The producer of television and radio programs is an individual or legal entity specializing in the production of television and radio programs.

2. Relations between producers of television and radio programs and broadcasting companies are regulated in accordance with the legislation of the Republic of Kazakhstan.

Article 47. Commission for development of broadcasting

In order to take into account and protect public interests in the field of television and radio broadcasting, as well as to meet the needs of the population in television and radio channels, an advisory body is being created at the authorized body - the commission for development of television and radio broadcasting in accordance with the procedure determined by the authorized body.

Article 48. Broadcasting networks

1. Broadcasting networks are an integral part of a unified telecommunications network in accordance with the legislation of the Republic of Kazakhstan in the field of communications and constitute a unified production and technological complex of terrestrial and satellite broadcasting systems used for the distribution and broadcasting of television and radio channels on the territory of the Republic of Kazakhstan and foreign states.

2. For the distribution and broadcasting of state television and radio channels, republican and regional broadcasting networks based on a unified telecommunications network are being created using technical means and channels of broadcasting operators.

3. TV and radio broadcasting companies and operators have the right to use existing telecommunications networks for the distribution and broadcasting of television and radio channels on the terms of the concluded agreement.

4. Broadcasting networks, regardless of their forms of ownership, are used to alert the population about the threat to life, human health and the procedure for acting in the current situation in emergency situations of a natural and man-made nature, as well as in the interests of defense, national security and law enforcement. The procedure for using broadcasting networks for these purposes is determined by the authorized body in the field of civil protection.

5. Notification of the population about the threat to life, human health and the procedure for acting in the current situation in emergency situations of a natural and man-made nature,

as well as in the interests of defense, national security and law enforcement, is made without fail by television and radio broadcasting companies and operators, regardless of their forms of ownership.

6. For laying cable networks in residential buildings, engineering infrastructure facilities are provided on equal terms to all cable TV and radio broadcasting operators, if technical capabilities allow.

Article 49. Tariffs for broadcasting services

Tariffs for distribution of television and radio channels in multichannel broadcasting and telecommunications networks are set by TV and radio broadcasting operators independently on the basis of reasonable costs, unless otherwise provided by the laws of the Republic of Kazakhstan.

Article 50. Protection of interests of the national television and radio broadcasting

1. In the weekly volume of broadcasting of domestic TV channels, the number of domestic TV programs, with the exception of advertising, should be:

- 1) from January 1, 2025 – at least fifty-five percent;
- 2) from January 1, 2027 – at least sixty percent.

The requirement of this paragraph does not apply to TV channels broadcasting on the basis of international agreements.

2. In the weekly volume of radio broadcasting of domestic radio channels, the number of musical works by Kazakhstani authors or performers and domestic radio programs, with the exception of advertising, should be:

- 1) from January 1, 2025 – at least fifty-five percent;
- 2) from January 1, 2027 – at least sixty percent.

Article 51. Procedure for subsidizing part of the costs of satellite TV and radio broadcasting operators

1. The purpose of subsidizing part of the costs of satellite TV and radio broadcasting operators for the sale of satellite receivers is to encourage individuals or legal entities to purchase domestic satellite devices.

2. Subsidizing part of the costs of satellite TV and radio broadcasting operators, with the exception of the national TV and radio broadcasting operator, for the sale of satellite receiving devices is carried out at the expense of budgetary funds in accordance with the procedure determined by the authorized body.

3. Subsidizing of a part of the costs of satellite TV and radio broadcasting operators is carried out subject to the following conditions:

- 1) acquisition of satellite receivers by the population living in cities of regional significance, towns, villages, rural districts;
- 2) distribution by the operator of television and radio broadcasting of television and radio channels by means of repeaters placed on communication satellites;

3) availability of a license in the field of broadcasting in accordance with the Law of the Republic of Kazakhstan "On permits and notifications";

4) own sales network on the basis of the right of ownership or use in at least ten localities with a population of no more than fifty thousand people.

4. In order to consider applications received from satellite TV and radio broadcasting operators, the authorized body shall establish a permanent commission for reviewing applications to make a decision on subsidizing costs or on refusal.

5. Satellite TV and radio broadcasting operators who have received subsidies annually conduct an analysis of the effectiveness of the implementation of subsidies and send it to the authorized body.

6. Provision, control, monitoring and evaluation of the effectiveness of subsidizing part of the costs of satellite TV and radio broadcasting operators shall be carried out in accordance with the procedure determined by the authorized body.

Article 52. Formation of a list of mandatory TV and radio channels

1. In order to ensure the rights of individuals to information, freedom of speech, expression of opinion and development of pluralism of opinions, as well as the preservation and provision of a unified information space of the Republic of Kazakhstan, coverage of state policy in the field of socio-economic policy of the state, preservation and development of the cultural heritage of the country, a list of mandatory television, radio channels is being formed, which makes up a set of cultural, scientific-educational, educational and other socially significant and mandatory information to be disseminated throughout the territory of the Republic of Kazakhstan.

2. The list of mandatory non-governmental television and radio channels is formed on a competitive basis in accordance with the procedure determined by the authorized body.

At the recommendation of the Commission for development of television and radio broadcasting, the list of mandatory state television and radio channels is formed without a competition and approved by the authorized body.

3. The list of mandatory television and radio channels is formed no more than once a year. In case of voluntary refusal of the owner of a television or radio channel from inclusion in the specified list or exclusion of a television or radio channel in order to ensure national interests, a repeat competition for a vacant place is held by decision of the authorized body.

Article 53. Formation of a list of TV and radio channels of free access

1. The list of free-access television and radio channels distributed by the national broadcasting operator is formed from:

1) television and radio channels included in the package of television and radio channels of digital terrestrial television and radio broadcasting in accordance with paragraph 4 of Article 69 of this Law;

2) television and radio channels defined in accordance with paragraph 2 of this article.

2. The formation of a list of free-access television and radio channels distributed by the national broadcasting operator at the recommendation of the Commission on the development of broadcasting is carried out on a competitive basis in accordance with the procedure determined by the authorized body.

3. TV and radio broadcasting operators, on the basis of concluded contracts with TV and radio companies, have the right to distribute free-access TV and radio channels.

Article 54. Licensing of broadcasting activities

Licensing of broadcasting activities is carried out by the authorized body in accordance with the Law of the Republic of Kazakhstan "On permits and notifications".

Article 55. The use of the radio frequency spectrum for broadcasting purposes

1. The distribution of frequency bands, radio frequencies (radio frequency channels) for the purposes of broadcasting is carried out on a competitive basis in accordance with the procedure determined by the authorized body.

2. A permit for the use of frequency bands, radio frequencies (radio frequency channels) for the purposes of broadcasting is issued by the authorized body in the field of communications on the basis of a decision of the commission on the development of broadcasting.

The permit for the use of frequency bands, radio frequencies (radio frequency channels) for broadcasting purposes must indicate the location of technical means, including the placement of antenna devices, indicating their type, geographical coordinates, as well as the actual power of the transmitting electronic means used.

3. Calculation, coordination with radio frequency authorities and international coordination of radio frequencies for broadcasting purposes are carried out by the authorized body in the field of communications.

Article 56. Requirements for technical means of broadcasting

1. Technical means of formation, broadcasting, retransmission and (or) reception of television and radio channels are subject to confirmation of compliance with the requirements of the Law of the Republic of Kazakhstan "On technical regulation".

2. It is prohibited to use radio-electronic means of receiving and transmitting a broadcasting signal that interfere with other radio transmitting and (or) radio receiving means of communication and do not correspond to the declared technical parameters.

Article 57. Dissemination of additional information

1. Additional information is alphanumeric, digital, graphic information broadcast simultaneously with the main TV program using the same frequency and (or) airtime, the content of which is not related to the content of the main TV program transmitted as part of the broadcasting signal.

2. The amount of additional information in the nature of commercial advertising should not exceed twenty-five percent of the frame area and violate text or information material in television programs.

Article 58. Retransmission of a television, radio channel, television, radio program

1. The retransmission of a television, radio channel, television, radio program is carried out without making changes to the content, unless otherwise provided for by the agreement between the operators of television and radio broadcasting and the broadcasting company - the rightholder, as well as with the exception of the cases provided for in this article.

2. TV and radio broadcasting operators, when retransmitting foreign television and radio channels on the territory of the Republic of Kazakhstan, should not allow the distribution of advertising, except for:

- 1) social advertising;
- 2) advertising placed at the venue of an event broadcast live or recording a replay of a live broadcast;
- 3) advertising distributed by foreign television and radio channels specializing exclusively in messages and promotional materials.

When retransmitting foreign television and radio channels on the territory of the Republic of Kazakhstan, it is allowed to distribute information about its own products of television and radio channels (announcements) that do not contain third-party advertising.

3. The retransmission of a television, radio channel, television, radio program is allowed solely on the basis of an agreement concluded between a television and radio broadcasting operator and a television and radio company or a branch (representative office) of a foreign legal entity registered in accordance with the procedure established by the legislation of the Republic of Kazakhstan on state registration of legal entities and registration of branches and representative offices.

4. Legal relations related to the retransmission of television, radio channels, television and radio programs are carried out in accordance with the legislation of the Republic of Kazakhstan on copyright and related rights.

5. In the weekly volume of broadcasting of domestic television and radio channels, the retransmission of television and radio programs of foreign television and radio channels should not exceed ten percent of the total volume of television and radio programs.

Article 59. Distribution of TV and radio channels for public display

Exclusively domestic television and radio channels are distributed for public display in the waiting rooms of government buildings and (or) organizations.

Chapter 7. TYPES OF BROADCASTING

Article 60. Analog terrestrial broadcasting

1. Analog terrestrial broadcasting is a system of distribution of television and radio channels using analog signal processing methods.

2. The distribution of television and radio channels by means of analog terrestrial television and radio broadcasting is carried out in the presence of a permit for the use of frequency bands, radio frequencies (radio frequency channels) issued in accordance with

Article 55 of this Law, and a license to engage in activities for the distribution of television and radio channels.

Article 61. Digital terrestrial broadcasting

1. Digital terrestrial broadcasting is a system of distribution of television and radio channels through terrestrial transmitting stations using the technique of digitization (compression) of the original signal.

2. The distribution of television and radio channels by television and radio broadcasting operators through digital terrestrial television and radio broadcasting is carried out in the presence of a permit for the use of frequency bands, radio frequencies (radio frequency channels) issued in accordance with Article 55 of this Law, and a license to engage in activities for the distribution of television and radio channels.

Article 62. Satellite TV and radio broadcasting

1. Satellite television and radio broadcasting is a system for the distribution of television and radio channels through repeaters placed on communication satellites.

2. Satellite TV and radio broadcasting is intended for the distribution of TV and radio broadcasting signals throughout the territory of the Republic of Kazakhstan.

3. The distribution of television and radio channels by TV and radio broadcasting operators through satellite broadcasting is carried out if there is a permit for the use of frequency bands, radio frequencies (radio frequency channels) and a license to engage in activities for the distribution of television and radio channels.

4. Distribution of conditional access cards to the services of broadcasting operators and equipment intended for individual reception of television and radio signals of broadcasting operators who do not have a license in the field of broadcasting and do not have their own satellite broadcasting systems on the territory of the Republic of Kazakhstan is prohibited.

5. Making payments for the services of broadcasting operators who do not have a license in the field of broadcasting and do not have their own satellite broadcasting systems on the territory of the Republic of Kazakhstan is prohibited.

6. The activities of distributors of individual satellite and terrestrial receiving devices are carried out in accordance with the procedure determined by the rules for the provision of broadcasting services.

Article 63. Cable TV and radio broadcasting

1. Cable television and radio broadcasting is a system of distribution of television and radio channels through cable and terrestrial cable networks, with the exception of subscriber lines, for the provision of Internet access services.

2. The distribution of television and radio channels by television and radio broadcasting operators through cable and terrestrial cable broadcasting is carried out on the basis of a license to engage in activities for the distribution of television and radio channels.

3. The distribution of television and radio channels by television and radio broadcasting operators through terrestrial and cable television and radio broadcasting is carried out if there

is a permit for the use of frequency bands, radio frequencies (radio frequency channels) issued in accordance with Article 54 of this Law.

4. Cable TV and radio broadcasting operators carry out broadcasting and (or) retransmission of mandatory television and radio channels on the basis of offsets between cable TV and radio broadcasting operators and the broadcasting company - the rightholder of the mandatory television and radio channel.

Article 64. Broadcasting using telecommunications networks

1. Television and radio broadcasting in telecommunications networks is a system of distribution of television and radio channels using telecommunications equipment and communication lines that ensure the transmission of telecommunications messages.

2. The distribution of television and radio channels in telecommunications networks is carried out on the basis of a license to engage in activities for the distribution of television and radio channels.

Article 65. Individual satellite reception

1. Individual satellite reception of television and radio channels by individuals and legal entities is carried out without the right to further retransmission.

2. To ensure individual satellite reception of a television signal, individual satellite receivers must be used that have passed confirmation of compliance with the requirements of the Law of the Republic of Kazakhstan "On technical regulation".

Article 66. Systems of collective reception of TV and radio channels

1. The system of collective reception of television and radio channels is a complex of technical means that provides the possibility of receiving television and radio channels within one building and (or) several buildings.

2. Activities for the organization of a system of collective reception of television and radio channels, pursuing commercial purposes, are equated to cable television and radio broadcasting and are subject to licensing to engage in activities for the distribution of television and radio channels.

3. A system of collective reception within a building that does not pursue commercial purposes may be established only with the written consent of the building owners. A system of collective reception within several buildings that does not pursue commercial purposes can be established if the owner of these buildings is one individual or legal entity.

4. Collective reception systems should not affect the broadcasting quality of other broadcasting operators.

Chapter 8. RESPONSIBILITY FOR VIOLATION OF THE LEGISLATION OF THE REPUBLIC OF KAZAKHSTAN ON MASS MEDIA

Article 67. Responsibility for violation of the legislation of the Republic of Kazakhstan on mass media

1. Violation of the legislation of the Republic of Kazakhstan on mass media entails liability established by the laws of the Republic of Kazakhstan.

2. Dissemination of false information discrediting the honor and dignity of a citizen or business reputation of an organization (state body, public, creative, scientific, religious or other association of citizens and legal entities), the impact of mass media on the court entail liability provided for by the laws of the Republic of Kazakhstan.

3. Officials of state bodies and other organizations responsible for violating the legislation of the Republic of Kazakhstan on mass media, as well as the owner of mass media, the distributor of mass media, the editor-in-chief (editor) of the mass media, the authors of the disseminated messages and materials, are responsible for violating the legislation of the Republic of Kazakhstan on mass media.

4. The owner of the mass media, the editor-in-chief (editor) of the mass media bear responsibility established by the laws of the Republic of Kazakhstan for the dissemination of messages and materials containing propaganda or agitation of violent change of the constitutional system, violation of the integrity of the Republic of Kazakhstan, undermining the security of the state, war, social, racial, national, religious, class and tribal superiority, propaganda of narcotic drugs, psychotropic substances, their analogues and precursors, explosives and explosive devices, the cult of cruelty, violence and pornography, regardless of the source of their receipt.

5. The mass media shall not have the right to disclose in the disseminated messages and materials the information specified in paragraph 5 of Article 14 of this Law, except in cases where the dissemination of such information is carried out in order to protect the rights and legitimate interests of a minor who has suffered as a result of illegal actions (inaction), and minors suspected and (or) accused of committing administrative and (or) criminal offenses, with the exception of minors found guilty by a court of committing grave and (or) especially grave crimes, including information about their parents and other legal representatives.

The information specified in part one of this paragraph may be disseminated in the mass media with the consent of:

1) a minor who has reached the age of fourteen, who has suffered as a result of illegal actions (inaction), and his legal representatives;

2) legal representatives of a minor who has not reached the age of fourteen, who has suffered as a result of illegal actions (inaction);

3) a minor who has reached the age of sixteen, has committed administrative and (or) criminal offenses, and his legal representatives.

If one of the persons specified in part two of this paragraph does not give his consent to the dissemination of information in the mass media, the dissemination of this information is prohibited, except in the following cases:

1) without the consent of a minor who has reached the age of fourteen and has suffered as a result of illegal actions (inaction), or his legal representatives, if the legal representative is a suspect or accused of committing these illegal actions (inaction);

2) with the consent of one legal representative of the affected minor, if the second legal representative is located outside the Republic of Kazakhstan and it is not possible to obtain his consent.

6. The mass media has the right to disseminate information in order to facilitate the investigation of a crime, identify persons involved in the commission of a crime, search for missing minors to the extent necessary to achieve these goals, and in compliance with the requirements established by the Criminal Procedure Code of the Republic of Kazakhstan, on the basis of procedural documents received from bodies conducting criminal proceedings relating to a minor, without obtaining the consent of the persons established by part two of paragraph 5 of this Article.

7. Obstruction of the legitimate professional activity of a journalist (representative of the mass media) entails liability established by the laws of the Republic of Kazakhstan.

Article 68. Cases of exemption from liability for the dissemination of information that does not correspond to reality

The mass media, as well as its editor-in-chief (editor), and the journalist are not responsible for the dissemination of information that does not correspond to reality, if:

1) it was contained in official statements;

2) it is contained in the response to a journalistic request from the media or is obtained from the materials of an authorized person (unit) for interaction with the media;

3) it is received from advertisers and advertising producers;

4) it is verbatim reproductions of official speeches of deputies of representative bodies, officials or authorized persons of state bodies, local self-government bodies, individuals and legal entities, except for the dissemination of information prohibited or otherwise restricted for dissemination by judicial acts or laws of the Republic of Kazakhstan that have entered into force;

5) it was contained in author's speeches broadcast without prior recording, or texts that are not subject to editing in accordance with this Law;

6) it was contained in messages, materials or fragments thereof distributed by another mass media registered with the authorized body, provided that in their message they indicate a link to the mass media that disseminated this message, with the exception of the dissemination of information prohibited or otherwise restricted for dissemination by judicial acts or laws of the Republic of Kazakhstan that have entered into force;

7) it was contained in mandatory statements established in accordance with Article 37 of this Law.

Chapter 9. TRANSITIONAL PROVISIONS

Article 69. Transitional provisions

1. Prior to the transition to digital terrestrial television and radio broadcasting, the operation of analog terrestrial television and radio broadcasting is ensured, with the exception of administrative-territorial units defined in the acts of the authorized body for setting the deadlines for the transition to digital terrestrial television and radio broadcasting.

2. The authorized body, in accordance with the procedure for the transition to digital terrestrial television and radio broadcasting, determined by the authorized body, establishes the timing of the transition to digital terrestrial television and radio broadcasting at least six months before the transition.

Prior to the transition to digital terrestrial broadcasting, the distribution of non-state television and radio channels of free access is carried out at the expense of budgetary funds.

The transition to digital terrestrial television and radio broadcasting in the territory of the administrative-territorial unit of the Republic of Kazakhstan is carried out in accordance with the procedure and deadlines for the transition to digital terrestrial television and radio broadcasting, which are determined by the authorized body.

3. Prior to the transition to digital terrestrial broadcasting, all previously issued licenses for television broadcasting activities and permits for the use of frequency bands, radio frequencies (radio frequency channels) are valid for TV channels. At the same time, TV and radio companies are obliged to register TV channels in accordance with the requirements of this Law within one year after transition to digital terrestrial broadcasting.

4. When switching to digital terrestrial broadcasting, TV channels distributed in the territory of an administrative-territorial unit through analog frequency bands, radio frequencies (radio frequency channels), release these frequencies, radio frequencies (radio frequency channels).

TV channels distributed in the territory of an administrative-territorial unit by means of analog frequency bands, radio frequencies (radio frequency channels) are necessarily included by the authorized body in the list of television and radio channels of free access to the digital terrestrial broadcasting network without holding a competition on the territory of the same administrative-territorial units.

In the absence of a TV channel in the approved list of free-access television and radio channels, the national television and radio broadcasting operator has the right to independently include it in the package of television and radio channels distributed over the digital terrestrial broadcasting network, if technically possible.

The distribution of these TV and radio channels is carried out in accordance with the established tariffs on the basis of concluded contracts.

5. After the transition to digital terrestrial broadcasting, permits for the use of the radio frequency spectrum and licenses to engage in activities for the distribution of television and radio channels issued to TV channels during analog broadcasting, with the exception of analog frequency bands, radio frequencies (radio frequency channels), on the territory of

administrative-territorial units that are not covered by digital terrestrial broadcasting according to the list defined by the authorized body, terminate their actions.

6. In order to ensure the broadcasting of television and radio channels of free access throughout the territory of the Republic of Kazakhstan through digital terrestrial television and radio broadcasting, the national television and radio broadcasting operator receives permission to use frequency bands, radio frequencies (radio frequency channels) without holding a competition.

7. Local executive bodies of regions, cities of republican significance, and the capital, before switching to digital terrestrial television and radio broadcasting, organize the provision of television set-top boxes to individuals who are recipients of state targeted social assistance in accordance with the procedure determined by the authorized body.

Provision of set-top boxes is made at the rate of one set-top box per recipient of state targeted social assistance, who applied on his own behalf or on behalf of his family and other persons permanently residing with him.

The provision of consoles is a one-time action, the consoles are not re-supplied to the recipient, his family members and other persons permanently residing with him.

Article 70. The procedure for the enactment of this Law

1. This Law shall enter into force upon the expiration of sixty calendar days after the date of its first official publication, with the exception of subparagraph 11) of Article 1, subparagraph 5) of Article 7, subparagraph 4) of part two of paragraph 1 of Article 32, Article 33, which shall enter into force on January 1, 2025.

2. Suspend until January 1, 2025 the operation of subparagraph 35) of Article 1 of this Law, having established that during the suspension period this subparagraph is valid in the following wording:

"35) state order for the implementation of state information policy at the republican level – an order at the expense of budgetary funds for the provision of services for the implementation of state information policy, placed in mass media;"

3. To recognize as invalid:

1) The Law of the Republic of Kazakhstan dated July 23, 1999 "On mass media";

2) The Law of the Republic of Kazakhstan dated January 18, 2012 "On television and radio broadcasting".

President of the Republic of Kazakhstan K. TOKAYEV