

On Civil Protection

Unofficial translation

The Law of the Republic of Kazakhstan dated 11 April 2014 No. 188-V of the Law of the Republic of Kazakhstan.

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Footnote. Throughout the text the words “formation of the administrative entity” shall be replaced by the words “formation of the competent authority” in obedience to Law of the RK No. 58-VII of 29.06.2021 (shall go into effect ten calendar days after the day of its first official publication).

This Law regulates public relations arising in the course of carrying out of measures on civil protection and oriented to prevention and liquidation of emergency situations of natural and technogenic character and their consequences, rendering of emergency medical and psychological treatment to population being in the zone of emergency situation, ensuring of fire-fighting and industrial safety, as well as determines main tasks, organizational principles of posture and functioning of civil protection of the Republic of Kazakhstan, formation, keeping and use of state material reserve, organization and activity of accident rescue services and groups.

SECTION 1. GENERAL PROVISIONS

Chapter 1. GENERAL PROVISIONS

Article 1. Basic concepts used in this Law

The following basic concepts are used in this Law:

- 1) accident - destruction of buildings, structures and (or) technical devices, uncontrolled explosion and (or) release of hazardous substances;
- 2) accident rescue operations - actions on search and rescue people, material and cultural assets, providing emergency medical and psychological assistance to the population in the emergency zone, environmental protection in the emergency zone and in the case of conducting military actions, localization and suppression or minimization of probable effect level of hazard factors specific to them;
- 3) accident rescue group is an organizational-structural unit of civil defence forces that is independent or part of the certified rescue service, designed for accident rescue operations and urgent works;
- 4) accident rescue service is a set of organizational and joint managing bodies, accident rescue units and civil protection means designed for the solution of tasks on preventing and liquidation of emergency situations, functionally integrated into a single system;

5) an object with mass stay of people - building, construction, premises of trade, public catering, consumer services, health-sport and recreation, sport, cultural and educational, entertainment facilities, railway stations of all types of transport, religious buildings (structures), designed for simultaneous stay of one hundred and more people, as well as building, construction of health organizations, education, hotels, designed for simultaneous stay of twenty-five or more people;

6) civil protection is an integral part of the state civil protection system intended for the implementation of a nationwide complex of measures conducted in peace and war time to protect the population and the territory of the Republic of Kazakhstan from the impact of destructive factors of modern weapons, emergency situations of natural and technogenic character;

7) military units of civil protection are military units of authorized body in the field of civil protection, performing civil protection measures in peace and wartime;

8) the fund of protective constructions of civil protection is a set of engineering constructions specially equipped and designed to protect workers of organizations classified in civil protection categories and the population from the impact of destructive factors of modern weapons, as well as in emergency situations;

9) protective construction of civil protection is an engineering construction specially equipped and designed to protect the population from the impact of destructive factors of modern means of destruction;

10) civil protection is a nationwide complex of measures conducted in peace and war time aimed at preventing and liquidation of emergency situations of natural and man-made character and their consequences, organization and conducting civil protection, providing emergency medical and psychological assistance to the population in the emergency zone, including measures on ensuring of fire-fighting and industrial safety, formation, storage and use of state material reserve;

11) special measures of civil protection - preliminary or prompt actions of civil protection services on engineering, radiation, chemical, medical, fire-fighting, transport, material and technical, hydrometeorological and other types of work aimed at protecting the population, facilities and the territory of the Republic of Kazakhstan from hazards, arising during emergencies and military conflicts or in consequence of these conflicts;

12) civil protection notification system is a set of software and hardware that provide information to the public and government agencies about the threat to life and health of people, the procedure for acting in the current situation;

13) the state system of civil protection is a set of managing bodies, civil protection forces and means intended for the implementation of a nationwide complex of measures to protect the population, facilities and the territory of the Republic of Kazakhstan from hazards, arising during emergencies and military conflicts or in consequence of these conflicts;

14) civil protection forces are military civil protection units, accident rescue services and formations, subdivisions of state and non-state fire-fighting service, formation of civil protection, aviation of authorized body in the field of civil protection, surveillance, control and forecasting services;

15) means of civil protection - material and technical equipment used to protect the population and equip the civil protection forces;

16) civil protection services - republican, provincial, city, district systems of government bodies and civil defence forces intended for carrying out special civil protection measures;

17) civil protection bodies - the authorized body in the field of civil protection, its department, territorial subdivisions and state institutions subordinate to its department;

18) state control and supervision in the field of civil protection is an activity of authorized bodies in the field of civil protection and in the field of industrial safety aimed at ensuring compliance by individuals and legal entities with the requirements of the legislation of the Republic of Kazakhstan in the field of civil protection, within their competence;

19) the authorized body in the field of civil protection (hereinafter - authorized body) is a central executive body carrying out management and cross-sector coordination, elaboration and implementation of state policy in the field of civil protection in the part of prevention and liquidation of emergency situations of natural and technogenic character, emergency medical and psychological assistance to the population, ensuring fire-fighting safety and Civil Protection organization;

19-1) the department of the authorized body in the field of civil protection (hereinafter department) is a department of central executive body implementing the state policy in the field of civil protection in the part of prevention and liquidation of emergency situations of natural and technogenic character, emergency medical and psychological assistance to the population, ensuring fire-fighting safety and Civil Protection organization;

19-2) accreditation is an official recognition of the expert organization rights to perform works on the audit in the field of fire safety by the department

19-3) certificate of accreditation is a document issued by the department, certifying the right of an expert organization to perform works on conducting an audit in the field of fire safety;

20) alert signal "Attention all!" is a single alert signal transmitted by sirens or other signaling means to attract the attention of the public in case of threat of occurrence or occurrence of emergency situations;

21) control points are facilities or vehicles of state bodies specially constructed and equipped with technical means, life support elements intended for placement and ensuring civil protection management bodies work;

22) disposal - release of material assets from the state material reserve when the nomenclature changes, as well as for disposal or destruction, emergency prevention and

response measures and their consequences, regulatory market impact, refugee assistance and humanitarian aid;

22-1) anti-gushing operations - actions carried out at oil and gas production facilities using special equipment, machinery and equipment, aimed at eliminating accidents, saving people, material assets and reducing the impact of dangerous factors of uncontrolled release of formation fluids through the wellhead (gas and oil fountains) as a result of missing, destroyed or leaking shut-off equipment or as a result of griffon formation;

23) a single duty and dispatching service "112" is a service for receiving and processing messages from individuals and legal entities about the prerequisites for the emergence or occurrence of an emergency situation, fire, threat to life and harm to people's health and other cases requiring emergency measures with subsequent coordination of actions to respond to emergency services within their competence;

23-1) gas rescue works - actions to eliminate accidents at hazardous industrial facilities, characterised by the need to perform them in the presence of hazardous substances exceeding maximum permissible concentrations in the environment, using special equipment, devices and equipment, isolating personal protective equipment and associated with searching for people in a gassy environment, providing first aid to victims and their transportation, carrying out reconnaissance of the accident area in order to clarify the place and cause of the accident, the limits of its spreading;

24) a voluntary firefighter is a citizen directly participating on voluntary basis in activities for the prevention and / or fire-fighting operations, registered in the register of voluntary firefighters;

25) mobilization reserve - a stock of material assets in a limited nomenclature being an integral part of the state material reserve, which is necessary for carrying out the mobilization order upon mobilization, military situation and in war time, taking measures for prevention and liquidation of emergency situations of natural, technogenic and social nature and their consequences, providing humanitarian assistance in peace time as well as material and technical means of special formations;

26) victim is an individual who has been harmed (damaged) due to an emergency situation of a natural or technogenic character;

27) inflictor of harm (damage) is an individual or legal entity, due to whose action (inaction) an emergency situation of technogenic character occurred;

28) professional accident rescue service - accident rescue service consisting of the formation or formations, which rescuers work on a regular basis and meet the qualification requirements;

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

30) modern means of destruction – devices and means whose damaging (destructive) factors are designed to defeat people, animals and plants, damage or destruction of objects,

the appearance of secondary damaging factors, including weapons of mass destruction and conventional means of destruction, including missile, aviation and firearms;

31) the declaration of industrial safety of a hazardous production facility is a document that reflects the nature and extent of the danger of a hazardous production facility, measures to ensure industrial safety and protect the public from the harmful effects of hazardous production factors at the stages of commissioning, operation and decommissioning of a hazardous production facility;

32) hazardous production factor - a physical phenomenon that occurs during accidents, incidents at hazardous production facilities and social infrastructure facilities, causing harm (damage) to individuals and legal entities, the environment;

32-1) dangerous technical devices:

technical devices operating under a pressure of more than 0.07 megapascals or at a water heating temperature of more than 115 degrees Celsius, lifting mechanisms, escalators, funiculars, elevators, travelators, lifts for persons with disabilities (persons with disabilities), as well as installations for drilling and repairing wells with a drilling depth of more than two hundred meters, mine lifting installations and lifting machines, mobile warehouses of explosives and products based on them, mixing-charging and delivery-charging machines, mobile and stationary installations for the manufacture of explosives and products based on them, operated at hazardous production facilities, state supervision of which is carried out by the authorized body in the field of industrial safety;

steam and hot water boilers operating at a pressure of more than 0.07 megapascals and (or) at a water heating temperature of more than 115 degrees Celsius (heat supply organizations), vessels operating at a pressure of more than 0.07 megapascals, lifting mechanisms, escalators, cable cars, funiculars, elevators, travelators, lifts for persons with disabilities (persons with disabilities) at social infrastructure facilities, state supervision of which is carried out by local executive bodies;

33) rescuer is an individual who has been specially trained and certified (recertified) for emergency rescue operations;

34) material assets - goods necessary to ensure the tasks assigned on the authorized body in the field of state material reserve, in certain nomenclature and the volume of storage;

35) supply of material assets to the state material reserve - purchase and (or) shipping (delivery) of material assets to the storage facilities of material assets of the state material reserve;

36) laying of material assets to the state material reserve (hereinafter - laying) - the acceptance of material assets for storage in the state material reserve;

37) release of material assets from the state material reserve - withdrawal of material assets from the state material reserve in the order of refreshment, borrowing, disbanding;

38) non-state fire prevention service - legal entities that have passed certification for the right to conduct work to prevent and extinguish fires, provide fire safety and conduct accident rescue operations in organizations, settlements and facilities;

39) the state material reserve (hereinafter referred to as - the state reserve) - the reserve of material assets intended for mobilization needs, adoption of measures for prevention and liquidation of emergency situations of natural, technogenic and social nature and their consequences, ensuring of regulatory impact on the market, assistance to refugees and humanitarian assistance;

39-1) the authorized body in the field of state material reserve is a central executive body that exercises executive and control functions as well as management of the state material reserve system;

40) movement of material assets of the state material reserve - transportation of material assets of the state material reserve from one storage point to another point, including loading and unloading of material assets;

41) state fire-fighting service is a set of management bodies, forces and means of civil protection in the regions, cities of republican significance, the capital, districts, cities of regional significance, designed to organize fire prevention and extinguishing, accident rescue operations and urgent works, conducting state control in the field of fire safety and inquiries in cases of crimes related to fires;

42) subordinate organization of the state reserve system is a legal entity that carries out formation and storage of material assets of the state reserve;

43) borrowing of material assets from the state reserve - release of material assets from the state reserve on particular conditions with the following return to the state reserve in accordance with the nomenclature and storage volumes;

44) refreshment of the state reserve is the release of material assets from the state reserve before the expiration of the established terms of their storage with simultaneous or with a break in time laying of material assets in accordance with the nomenclature and storage volumes;

45) standards for storage of material assets of the state reserve - technical requirements on maintenance and storage conditions of material assets of the state reserve;

46) storage facilities of material assets of the state reserve are legal entities that carry out the storage of material assets of the state reserve on a contractual basis and provide services related to storage;

46-1) nomenclature and storage volumes of material assets of the state reserve - the list and volumes of material assets of the state reserve necessary to fulfill the tasks assigned to the authorized agency in the field of the state material reserve;

47) object is a property of individuals or legal entities, state property, including buildings, structures, technological installations, equipment, aggregates and other property to which civil protection requirements are established or must be established;

48) incident - failure or destruction of technical devices used at a hazardous production facility, deviation from the parameters ensuring the safety of the technological process, which did not lead to an accident;

49) operating - delivery, storage and issue of material assets of the state reserve;

49-1) operational control - measures at a hazardous production facility aimed at ensuring compliance with industrial safety requirements, performed by officials of the industrial control service;

50) industrial safety - state of protection of individuals and legal entities, the environment from the harmful effects of hazardous production factors;

51) certificate for the right to work in the field of industrial safety - a document issued by the authorized body in the field of industrial safety, certifying the right of a legal entity to perform work in the field of industrial safety;

52) attestation of legal entities for the right to perform work in the field of industrial safety - official recognition of the powers of a legal entity to perform work in the field of industrial safety by the authorized body in the field of industrial safety;

52-1) professional emergency rescue service in the area of industrial safety - an emergency rescue service designated to provide mine rescue, gas rescue, anti-flotation work at hazardous production facilities;

52-2) a professional on-site emergency rescue service in the field of industrial safety is an emergency rescue service which is a structural subdivision of an organisation that has hazardous production facilities;

52-3) competent authority in the field of industrial safety - the central executive body responsible for leadership and inter-industry coordination, development and implementation of state policy in the field of industrial safety;

52-4) the administrative entity of the competent authority in the field of industrial safety - the administrative entity of the central executive body responsible for the implementation of state policy and control and supervision functions in the field of industrial safety;

53) industrial safety requirements - special technical and (or) social conditions established by the legislation of the Republic of Kazakhstan in order to ensure industrial safety;

54) fire - uncontrolled burning, creating a threat that harms life and health of people, material damage to physical and legal persons, to the interests of society and the state;

55) voluntary firefighting units - public associations set up to carry out measures to prevent and extinguish steppe fires, as well as fires in organizations and settlements;

56) the garrison of fire-fighting service is a complex of managing bodies and subdivisions of state fire-fighting service, non-state fire-fighting services and voluntary fire-fighting groups located on the oblast territory, cities of the republican significance, capital, district, the city of regional significance;

57) fire safety is the state of security of people, property, society and the state from fires;

57-1) audit in the field of fire safety - business activity on establishing the compliance or non-compliance of objects with fire safety requirements;

58) fire safety requirements - special technical and (or) social conditions established by the legislation of the Republic of Kazakhstan in order to ensure fire safety;

59) fire safety measures - actions to fulfill fire safety requirements;

60) fire station - territory, buildings and facilities designed for the placement of fire and special engineering, fire and technical equipment, their technical maintenance, including service, support facilities for the personnel and communication point of the fire fighting unit;

61) fire-technical products - products designed to ensure fire safety, including fire engineering and equipment, firemen's outfit, fire extinguishing and fireproofing agents, special communication and control means, software and databases, as well as other means of prevention and extinguishing fires;

61-1) expert organization is an organization accredited in accordance with the established procedure for carrying out audit activities in the field of fire safety;

62) emergencies of a natural character - emergencies resulting from hazardous natural phenomena (geophysical, geological, meteorological, agrometeorological, hydrogeological hazards), natural fires, epidemics, damage to agricultural plants and forests by diseases and pests;

62-1) mine rescue works - activities in mines, quarries and open pits using special equipment, devices and equipment aimed at rescuing people and eliminating accidents, providing first aid to victims and their transportation, extinguishing fires underground and on the surface within the mining allotment, inerting explosive atmosphere, removing debris, erecting bridges, installing roof supports, eliminating floods and other activities necessary for eliminating occupational hazards;

63) technical director is a specialist who manages the technological process;

64) technical devices are machines, equipment and other constructions;

65) emergency situations of technogenic nature - emergency situations caused by harmful effects of hazardous industrial factors, transport and other accidents, fires (explosions), accidents with emissions (threat of release) of strong poisonous, radioactive and biologically hazardous substances, sudden collapse of buildings and structures, dam breaks, accidents on electric power and communication life support systems, disposal facilities;

66) emergency situation - situation in particular area, resulting from an accident, fire, the harmful effects of hazardous industrial factors, a hazardous natural phenomenon, catastrophe, natural or other disasters that may result in or resulted human losses, harm to human health or the environment, significant material damage and violation of living conditions of people;

67) zone of emergency situation - the territory where emergency situation has developed;

68) the head of emergency situation liquidation is a chief administrative and responsible person managing works on liquidation of emergency situation;

69) life-support of population in emergency situations is a set of actions interrelated in time, resources and place conducting by civil protection forces and measures oriented to maintain the conditions that are minimally necessary to preserve life and maintenance of people's health in emergency zones, evacuation routes and places of accommodation of evacuated people;

70) liquidation of emergency situations – conduct of accident rescue operations and urgent works;

71) urgent works during the liquidation of emergency situations (hereinafter - urgent works) - activities on comprehensive ensuring of accident rescue operations, creation of conditions necessary for preserving life and health of people;

72) prevention of emergency situations is a set of activities conducted in advance and aimed at maximum possible reduction of the risk of emergencies, as well as the preservation of life and health of people, reducing the amount of material losses in the case of their occurrence;

73) liquidation of consequences of emergency situations - measures conducted to restore engineering infrastructure, housing, environment, to provide social and rehabilitation assistance to the population, compensation for harm (damage) caused to individuals and legal entities due to emergency situations;

74) classification of emergency situations - the procedure for classifying emergencies to classes established in accordance with their danger to human life and health, violation of living conditions, amount of damage (harm);

75) life support facility – organizations of health care, telecommunications, communications, gas supply, energy supply, heat supply, water supply and water disposal when because of termination (suspension) of their buildings, facilities, technological installations and aggregates, the activity of social and engineering infrastructures of settlements and territories is violated;

76) aviation of the authorized body - air-transport vehicles used for solving civil protection tasks;

77) operational reserve of the authorized agency - stocks of technology equipment and material assets, including medicines, medical products, in certain nomenclature and volume;

78) emergency medical and psychological assistance service of the authorized body - professional medical accident rescue service designed to carry out urgent medical and psychological assistance to the population in the emergency zone, to preserve, restore and rehabilitate the health of participants of emergency situation liquidation;

79) evacuation activities - distribution of employees of organizations to civil protection categories, evacuation of population and material assets from cities and emergency zones in peace and wartime.

Footnote. Article 1 as amended by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day of its

first official publication); dated 29.12.2014 № 269-V (shall be enforced from 01.01.2015); dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.12.2018 No. 211-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication); dated 26.12.2019 No. 284-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); No. 332-VI of 25.05.2020 (shall come into force ten calendar days after the date of its first official publication); No. 26-VII of 01.04.2021 (shall take effect ten calendar days after the date of its first official publication); dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023); dated 27.06.2022 No. 129-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 28.12.2022 No. 173-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication).

Article 2. Legislation of the Republic of Kazakhstan on state protection

1. Legislation of the Republic of Kazakhstan on civil protection 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. Legal regulation in the field of protection of labour, environmental safety, safety during use of cosmic space, destruction of chemical and nuclear weapon, use and utilization of ammunition, traffic safety on automobile and rail roads, traffic safety of internal water transport, safety of power engineering facilities, flights safety of air transport, safety of water economy systems and structures, as well as emergency situations of social nature shall be carried out by special legislation of the Republic of Kazakhstan.

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

Chapter 2. STATE SYSTEM OF CIVIL PROTECTION

Article 3. Main tasks and principles of civil protection

1. Main tasks of civil protection are:

- 1) prevention and liquidation of emergency situations and their consequences;
- 2) rescuing and evacuation of people upon occurrence of emergency situations by conduct of accident rescue operations and urgent works in peace and war time;
- 3) creation of civil protection forces, their preparation and maintenance in instant readiness;
- 4) training of specialists of central and local executive bodies, organizations and training of population;
- 5) accumulation and keeping of the required fund of protective structures, stocks of means of individual protection and other property of civil defence in readiness;

6) informing and notifying of population, managing bodies of civil protection in advance in existence of forecasting on threat of occurrence of emergency situation and (or) on an operational basis upon occurrence of emergency situation;

7) protection of food-stuffs, water sources (water supply intake places for economic and drinking purposes), food raw materials, forage, animals and plants from radioactive, chemical, bacteriological (biological) contamination, epizootic and epiphytotics;

8) ensuring of industrial and fire security;

9) creation, development and maintenance of the notification and communication systems in instant readiness;

10) monitoring, development and implementation of measures on reduction of effect or liquidation of hazard factors of modern means of destruction;

11) ensuring of formation, storage and use of the state reserve.

2. Main principles of civil protection are:

1) organization of the civil protection system on territorial and sectoral principle;

2) minimization of threats and damage to citizens and society from emergency situations;

3) instant readiness of forces and means of civil protection to dynamic response on emergency situations, civil defence and conduct of accident rescue operations and urgent works;

4) publicity and informing of population and organizations on forecasting and occurred emergency situations, taken measures on their prevention and liquidation including liquidation of their consequences;

5) justified risk and safety ensuring upon conduct of accident rescue operations and urgent works.

Article 4. State system of civil protection

1. The state civil protection system consists of territorial and branch subsystems.

Territorial subsystems are created at regional, city and district levels to prevent and liquidate emergency situations and their consequences, to carry out civil protection activities within their territories and consist of links corresponding to the administrative and territorial division of these territories.

Sectoral subsystems are created by central executive bodies to organize work on implementation of civil protection measures within their competence.

2. State civil protection system has three levels:

republican, territorial and site-level. Each level, with the exception of the site-level, includes:

bodies of civil protection management;

control points, operative-duty services;

advisory and consultative bodies - commissions on prevention and liquidation of emergency situations;

forces and means of civil protection;

communication, alert and information systems.

3. Management of the state civil protection system is carried out by:

- 1) at republican level - the Government of the Republic of Kazakhstan;
- 2) at territorial level - the akims of the relevant administrative-territorial units;
- 3) at site - level – the heads of organizations;
- 4) in sectoral subsystems – the heads of central executive bodies.

4. Managing bodies of civil protection are:

1) at republican level:

authorized body;

central executive bodies of the Republic of Kazakhstan in the sectoral subsystems;

2) at territorial level:

local executive bodies;

territorial units of the department of authorized body;

territorial subdivisions of central executive bodies of the Republic of Kazakhstan in the sectoral subsystems;

3) at site-level – the heads of organizations.

5. State administration in the system of civil protection is carried out by involving all levels of the state civil protection system.

The following regimes of functioning of state civil protection system in peacetime are established:

1) the regime of daily activity - the procedure for functioning of the state civil protection system, its territorial and branch subsystems in the subordinate territory, characterized by absence of a threat of occurrence of emergency situations.

In daily activity regime, the following actions are carried out by the civil protection authorities:

prediction of emergency situations;

collection, processing and exchange of information on protection of population, facilities and territories from emergency situations;

development of action plans on liquidation of emergency situations;

development and implementation of measures on prevention of emergency situations;

planning of actions of managing bodies and civil protection forces, organization of training and ensuring of their activities;

preparation of population for actions in emergency situations;

propaganda of knowledge in the field of civil protection;

creation, placement, storage and replenishment of reserves of material resources for liquidation of emergency situations and their consequences;

conduct of state control and supervision in the sphere of civil protection within the limits of their powers;

2) high alert regime - the procedure for functioning of state civil protection system, its separate subsystems introduced in the case of threat of occurrence of emergency situations.

The following actions are carried out by civil protection authorities in the high alert regime:

- prediction of emergency situations occurrence and their consequences;
- correction of action plans on liquidation of emergency situations;
- introduction, if necessary, of twenty-four hours duty of heads and officials of managing bodies and civil protection forces at the control points;
- collecting, processing and transferring data on forecasted emergency situations to the management bodies and civil protection forces, informing state bodies and the population about the ways and methods of protection;
- taking of operational measures on prevention of occurrence and liquidation of emergency situations, reduction of the amount of damage and losses in the case of their occurrence, as well as increase of stability and safety of functioning of facilities in emergency situations;
- replenishment of necessary reserves of material resources created for liquidation of emergency situations and their consequences;
- carrying out of evacuation measures, if necessary;

3) emergency situation regime - procedure for functioning of state civil protection system, its separate subsystems, introduced in the case of emergency situation occurrence and its liquidation.

The following activities are carried out in emergency situation regime by civil protection managing bodies:

- implementation (realization, fulfillment) into force of action plans on liquidation of emergency situations and their correction;
- prediction of the development of occurred emergency situations and their consequences;
- notification of the heads of central and local executive bodies, organizations, as well as the population about the occurrence of emergency situations and their consequences;
- organization of works on liquidation of emergency situations, comprehensive support of actions of civil protection forces and measures, maintenance of public order during their conduct, as well as in cases and order established by the laws of the Republic of Kazakhstan, involving forces and means of law enforcement agencies, other troops and military formations, public associations and population, use of the Armed Forces of the Republic of Kazakhstan for liquidation of the occurred emergency situations;
- collection, analysis and exchange of information on the situation in the emergency zone and on the progress of works on its liquidation;
- organization and maintenance of interaction of central and local executive bodies, organizations on liquidation of emergency situations and their consequences;
- carrying out measures for life support the population in emergency situations.

Footnote. Article 4 as amended by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 10.01.2015 № 275-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 5. Civil protection notification system

1. Civil protection notification system is organized at:

1) republican level - the republican system of notification with covering the territory of the Republic of Kazakhstan;

2) territorial level - notification system of district, the city of the republican significance, the capital with covering the territories of the district, the city of the republican significance, the capital;

3) site-level - a local notification system covering the territory of the facility with a mass stay of people, hazardous industrial facility and the population falling into the design zone of emergency distribution.

2. The Republican notification system ensures the delivery of alert signals and information to:

1) the population of the Republic of Kazakhstan;

2) civil protection authorities;

3) civil protection forces;

4) territorial subdivisions of the department of the authorized body.

Maintenance of republican notification system in constant readiness is ensured by the authorized body.

3. The notification system of district, the city of republican significance, the capital ensures the dissemination of warning signals and information to:

1) the population of district (a part of the district territory), the city of the republican significance, the capital or to the population of the district, the city of regional significance, the district in the city, the city of district significance, the village, the rural district under regulation of akim of the relevant administrative-territorial unit;

2) local executive bodies and other state bodies;

3) emergency and accident services;

4) civil protection forces in the territory of the relevant administrative-territorial unit.

Maintenance of notification system in the constant readiness of the region, the city of republican significance, the capital is provided by the territorial subdivision the authorized body.

4. Local notification system ensures dissemination of signaling alerts and information to:

1) the population falling into the design zone of distribution of emergency situation;

2) employees of the organization operating a hazardous industrial facilities;

3) individuals who are on the territory of the facility with a mass stay of people;

4) accident rescue services and groups serving hazardous industrial facilities;

5) managers and duty-dispatching services of legal entities located in the design zone of emergency situations distribution.

Maintenance of local notification system in constant readiness is provided by a legal entity operating the facility with a mass stay of people, the hazardous industrial facility.

5. An order to activate the notification system is given:

at republican level by the Prime Minister of the Republic of Kazakhstan - the head of the civil protection of the Republic of Kazakhstan in emergency situations of a global scale, the head of the authorized body in emergency situations of a regional scale, the technical verification of the republican notification system and conduct of republican civil protection trainings;

at territorial level by the akim of the region, the city of the republican significance, the capital or the lower akim to inform the population of the relevant administrative-territorial units upon emergency situations of local scale, by the head of territorial subdivision of the authorized body upon conduct of technical inspections of regional notification system, the city of the republican significance, the capital and civil protection trainings;

at site level by the the head of an organization operating the facility with a mass stay of people, the hazardous industrial facility, or by a person authorized by him.

6. When you activate the alert signal "Attention all!" the notification system should provide simultaneous and frequently repeated information about the threat of occurrence of an emergency situation to the population and on procedure for actions of the people in the current situation.

7. Financing of measures on creation and operation of notification system of republican and territorial levels is carried out at the expense of budget funds.

Financing of measures on creation and operation of local notification system is carried out at the expense of the funds of legal entity operating the facility with mass stay of people, a hazardous industrial facility.

Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 6. Unified duty dispatch service "112"

1. A unified duty-dispatching service "112" is created in territorial subdivisions of authorized body of the district, the city of republican significance, the capital, region, the city of regional significance.

2. Formation, development and functioning of the unified duty-dispatching service "112" is provided by the authorized body.

3. State bodies, including their territorial subdivisions, local executive bodies, legal entities, operating the facilities with mass stay of people, hazardous industrial facilities, organize interaction of information and communication networks and automated monitoring systems with a unified duty- dispatching service "112".

4. The unified duty- dispatching service "112", within its competence, has the right to use the information contained in databases of accident and emergency services, communication providers, local executive bodies and other state bodies, civil protection services.

5. In order to ensure the acceptance and processing of messages from individuals and legal entities, the single telephone number "112" is available.

6. Communication providers are obliged to provide services to identify the location of the calling subscriber and send short text messages to cellular phones on a gratuitous basis in case of threat or occurrence of emergency situations to the unified duty-dispatching service "112".

Footnote. Article 6 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 7. Commissions on prevention and liquidation of emergency situations

1. Commissions on prevention and liquidation of emergency situations are consultative and advisory bodies in the state system of civil protection and are created to develop proposals on formation and implementation of a unified state policy in the field of civil protection.

Commissions on prevention and liquidation of emergency situations are created at republican and territorial levels of the state system of civil protection.

2. An interdepartmental state commission on prevention and liquidation of emergency situations is created at republican level by the decision of the authorized body.

3. Interdepartmental state commission on prevention and liquidation of emergency situations exercises its powers in cooperation with central and local executive bodies, organizations, and public associations

4. The main task of interdepartmental state commission on prevention and liquidation of emergency situations is the development of proposals for:

- 1) main directions of development and further improvement of civil protection;
- 2) the formation of a system of legal, economic, organizational, technical and other measures in the field of civil protection;
- 3) creation and development of civil protection forces and means;
- 4) coordination of activities of central and local executive bodies on the issues of prevention and liquidation of emergency situations, socio-economic and legal protection, medical rehabilitation of citizens injured by accidents, catastrophes, natural and other disasters, as well as persons who participated in emergency liquidation and their consequences.

5. The Interdepartmental state commission for the prevention and liquidation of emergency situations has the right:

- 1) to make proposals on coordination of actions of central and local executive bodies, scientific organizations and public associations in the field of civil protection;

2) to hear the leaders and officials of central and local executive bodies, organizations on the issues related to civil protection measures;

3) to ask information from central and local executive bodies, organizations on their activities required for its work;

4) to analyze the implementation of civil protection activities by central and local executive bodies;

5) to attract specialists of organizations (in agreement with their heads) for the performance of analytical, expert and other work on civil protection issues;

6) to submit proposals to the Prime Minister of the Republic of Kazakhstan on the allocation of funds from the reserve of the Government of the Republic of Kazakhstan for life support of the population upon the liquidation of emergency situations of natural and technogenic character on the basis of approved norms.

6. Commissions for the prevention and liquidation of emergency situations are created at territorial level by the decisions of local executive bodies which carry out their activities in accordance with the powers and tasks determined by decisions on their creation.

The heads of local executive bodies are chairmen of commissions on prevention and liquidation of emergency situations, vice- chairmen of commissions on prevention and liquidation of emergency situations are the heads of territorial subdivisions of the authorized body's department.

Footnote. Article 7 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 8. Services of civil protection and evacuation bodies

1. Republican, oblast, city, district services of civil protection shall be created for ensuring of performing the special measures of civil protection and training of forces and means for these purposes.

2. The list of republican services of civil protection shall be approved by the Government of the Republic of Kazakhstan.

3. Services of civil protection of territorial subsystem of civil protection shall be created by decisions of akims of the relevant administrative-territorial entities.

4. Evacuation bodies shall be created for the purpose of organizing the performance of evacuation measures in central and local executive bodies, organizations related to categories on civil protection.

Article 9. Formation of civil protection

1. Formation of civil protection is intended for conduct of accident rescue operations and urgent works in peace and war time.

2. Formation of civil protection shall be created in central and local executive bodies, organizations.

3. Able-bodied men and women are enrolled in civil protection formations, with the exception of persons with disabilities of the first, second and third categories, pregnant women, women with children under the age of eight years, and for wartime - conscripts with mobilization orders.

Footnote. Article 9 as amended by the Law of the Republic of Kazakhstan dated 27.06.2022 No. 129-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 10. Educational institutions of the department

Footnote. Article 10 in the new wording of the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

1. Educational institutions of the department are created to train specialists with higher education on specialties determined by the authorized body in the field of education in coordination with the authorized body, and also to improve qualification of specialists in the field of civil protection.

2. The main tasks of educational institutions of the department are:

- 1) training of specialists in the field of civil protection;
- 2) creation of conditions for professional growth and professional development of specialists in the field of civil protection;
- 3) conducting scientific research on actual problems of improving activities in accordance with the profile of training specialists, introducing the results of the research into the educational process and practice.

Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Chapter 3. STATE REGULATION IN THE SCOPE OF CIVIL PROTECTION

Article 11. Competence of the Government of the Republic of Kazakhstan in the field of civil protection

The Government of the Republic of Kazakhstan:

- 1) develops the main directions of state policy in the field of civil protection, in the areas of industrial safety and state material reserve, strategic and tactical measures for its implementation;
- 2) creates a state reserve;
- 3) exercises overall leadership and determines a unified policy for the development of state reserve;
- 4) allocates funds from the reserve of the Government of the Republic of Kazakhstan to liquidate emergency situations and their consequences in the territory of the Republic of Kazakhstan, as well as to provide humanitarian assistance to other states;

- 5) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 6) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);
- 7) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 8) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 9) approves nomenclature and storage amount of material assets of the state reserve;
- 10) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 11) Is excluded by the Law of the Republic of Kazakhstan dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication);
- 12) approves the rules for operating material assets of the state reserve;
- 13) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 14) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 15) is excluded by Law of the RK No. 75-VII of 24.11.2021 (shall be enacted ten calendar days after the date of its first official publication);
- 16) - 22) are excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 23) adopts the rules for writing off, destroying, disposing of material assets of the state reserve and selling the disposed goods;
- 24) approves the list of republican civil protection services;
- 25) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);
- 26) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);
- 27) - 30) are excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 31) approves the rules for creation and use of civil protection facilities;
- 32) approves the rules for compensation of expenses to storage facilities of material assets of the state reserve, as well as compensation of expenses for material assets of the state reserve used for the prevention and liquidation of emergency situations and their consequences, rendering regulatory impact on the market, assistance to refugees and humanitarian assistance;

33) is excluded by the Law of the Republic of Kazakhstan dated 28.10.2015 № 367-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

34) approves the rules for releasing material assets from the state reserve in the manner of refreshment and disbandment;

34-1) approve the rules for use of material assets of the state reserve during the period of mobilization, martial law and in war time;

34-2) approve the rules for provision of humanitarian assistance;

35) - 37) are excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239 -V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

38) approves the list of the subjects of commercial activities - recipients of material assets , volume, price and amount of trade mark-up in case of using the state reserve to provide regulatory influence on the market;

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

40) takes decision on transfer to other place, reorientation to other type of accident rescue operations and urgent works or liquidation of republican and territorial professional accident rescue services and groups;

41) takes decision on attraction of professional accident rescue services and groups to liquidation of emergency situations and their consequences beyond the boundaries of the territory of the Republic of Kazakhstan;

42) makes decisions on the release of material assets of the state reserve in the order of disbandment, except in cases of release of material assets for taking measures to prevent and eliminate emergency situations and their consequences, transfer to the balance of other state bodies, disposal, destruction;

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

44) is excluded by Law of the RK No. 332-VI of 25.05.2020 (shall come into force ten calendar days after the date of its first official publication);

45) excluded by the Law of the Republic of Kazakhstan dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after the day of its first official publication);

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

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

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

49) - 51) are excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239

-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

52) is excluded by Law of the RK No. 75-VII of 24.11.2021 (shall be enacted ten calendar days after the date of its first official publication);

53) - 57) are excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239 -V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

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

59) is excluded by Law of the RK No. 75-VII of 24.11.2021 (shall take effect ten calendar days after the date of its first official publication);

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

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

62) approves the rules of compensation for harm (damage) inflicted to injured persons due to emergency situations of natural character;

63) approves the action plans for liquidation of emergency situations of a global and regional scale;

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

65) applies to a foreign state, an international organization for assistance in liquidation of an emergency situation on the territory of the Republic of Kazakhstan if necessary,;

66) - 68) are excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239 -V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

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

Footnote. Article 11 as amend by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 08.10.2015 № 367-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication); No. 332-VI of 25.05.2020 (shall come into force ten calendar days after the date of its first official publication); No. 75-VII of 24.11.2021 (shall be enforced ten calendar days after the date of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 12. Authorized body

1. The authorized body exercises the following powers:

- 1) directs civil protection forces in organizing and carrying out civil protection measures;
- 2) takes decisions within its competence on the issues of training and conduct of civil protection, compulsory for fulfillment by central and local executive bodies, organizations and citizens;
- 3) allocates and use material resources of operating reserve of the authorized body;
- 3-1) establishes the nomenclature and scope of the authorised body's operational reserve;
- 4) approves the rules for operating, moving, using, replenishing of material assets of operating reserve of the authorized body;
- 5) ensures military and mobilization readiness of territorial subdivisions of the department of the authorized body, military units of civil protection and units of the state fire-fighting service;
- 6) carries out the recruitment of employees performing functions for the prevention and liquidation of emergency situations of natural and technogenic nature, ensuring of emergency medical and psychological assistance to the population, employees of the State Fire Service and military personnel, career advancement, dismissal from service, deciding on the assignment of military and special ranks within its competence;
- 7) rewards with departmental awards and presents to state;
- 8) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 9) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 10) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 11) provides information and notification to the public, civil protection authorities in advance in the presence of a forecast of the threat of an emergency and (or) promptly in the case of an emergency situation;
- 11-1) establishes the procedure for the use of communications, transport, property and other material assets of organizations located in emergency zones for the rescue of people, in case of emergency;
- 12) carries out accident rescue operations and urgent works;
- 13) carries out international cooperation in the field of civil protection for prevention and liquidation of emergency situations of natural and technogenic nature, providing emergency medical and psychological assistance to the population, ensuring of fire-fighting safety and Civil protection;
- 14) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);
- 15) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

16) purchases petroleum products from a single operator for the supply of petroleum products determined by the authorized body for state regulation of the production of petroleum products;

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

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

19) carries out the conduct of an inquiry on cases involving crimes related to fires, within the limits of their authority;

20) coordinates the activities of fire-fighting services;

21) exercises state control in the field of fire safety;

22) exercises state control in the field of civil protection;

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

24) organizes scientific researches, propaganda of knowledge, training of the population and specialists in the field of civil protection;

25) exercises control over the readiness of fire departments in populated areas and at on facilities against fires;

26) determines the structure of civil protection plans and action plans on liquidation of emergency situations;

27) draws up civil defence plans for the regions, cities and districts and submits them for approval to the appropriate heads of civil defence;

27-1) develops a civil defence plan for the Republic of Kazakhstan, which is an integral part of the Republic of Kazakhstan's defence plan, and submits it to the Ministry of Defence of the Republic of Kazakhstan;

28) develops action plans on liquidation of emergency situations of global and regional scales and submits them for approval to the Government of the Republic of Kazakhstan;

29) develops and approves the plan of activities for training of managing bodies and civil protection forces;

30) determines the need for civil protection equipment;

31) approves the rules for storage, accounting, decommissioning and utilization of civil protection property;

32) approves the rules for registration and deregistration of protective facilities of civil protection;

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

34) develop, approve and coordinate the drafts of normative legal acts of the Republic of Kazakhstan, normative acts and regulatory technical documents for civil protection within its competence;

34-1) carry out consideration of draft standardization documents within the competence, as well as preparing proposals for the development, amendment, revision and cancellation of national, interstate standards, national classifiers of technical and economic information and recommendations for standardization for submission to the authorized agency for standardization ;

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

36) approves the qualification requirements for specialized training centers in the field of fire safety on training, retraining and advanced training of specialists of non-state fire-fighting services;

37) approves the program of training courses on special training of specialists of non-state fire- fighting services, as well as a sample of the certificate of their completion;

37-1) approves the list of organizations and facilities where a non-governmental fire service is being established without fail;

38) approves the volume and content of engineering and technical measures of civil protection;

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

40) approves the training programs for rescuers of accident rescue services and groups;

41) approves the training program for the initial training of voluntary firemen;

42) approves the training program for the training of managers, specialists in managing bodies and civil protection forces, educating the population on methods of protection and actions in the case of emergency situations occurrence, military conflicts or as a result of these conflicts;

43) approves regulations on republican civil protection services;

44) approves the procedure for teaching employees of organizations and population on fire safety measures and requirements to the content of educational programs on training fire safety measures;

45) take decision on release of material assets of the state reserve for taking measures on prevention and liquidation of emergency situations and their consequences in the manner of disbandment upon agreement with the authorized agency for the state material reserve;

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

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

48) coordinates the decisions of organization management on creation, relocation, re-profiling or liquidation of site-level professional accident rescue services and groups;

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

50) ensures the activity of civil protection forces;

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

52) makes proposals to the Government of the Republic of Kazakhstan on the use of stocks of material, technical, food, medical and other resources available in the state and mobilization reserves, on the use of funds from the reserve of the Government of the Republic of Kazakhstan for the prevention, liquidation of emergency situations and their consequences;

52-1) uses Earth remote sensing data to prevent and eliminate natural and man-made emergencies and assess their consequences;

52-2) participates in the development, determination and agreement of an oil spill sensitivity map and environmental sensitivity index, jointly with the public authorities concerned, as determined by the competent authority for environmental protection;

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

54) mobilizes material and technical resources of organizations in accordance with the legislation of the Republic of Kazakhstan during the liquidation of emergency situations

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

56) conducts attestation of non-state firefighting services for the right of perform works on prevention and fire extinguishing, ensuring fire safety and conducting accident rescue operations in organizations, settlements and facilities;

57) maintains state accounting in the field of civil protection;

58) establishes the samples of special uniform for the servants and other employees of civil protection bodies and state enterprises subordinated to the department of the authorized body;

59) - 62) are excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239 -V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

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

64) provides protection of territories of settlements and ly important objects of state property from fires;

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

66) provides the creation of reserve (urban, suburban), satellite and mobile control points;

67) ensures the functioning of the corporate information and communication system of state civil protection system, situation-crisis centers;

68) approves the requirements for conformity of health status and conduct of medical examination of rescuers, in agreement with the authorized body in the field of health care service;

69) approves the standards of minimum life support for the population in the emergency zone;

70) allocates funds from the reserve of the Government of the Republic of Kazakhstan on the basis of an order of the Prime Minister of the Republic of Kazakhstan for life-support of the population upon liquidation of emergency situations of natural and technogenic character in accordance with the procedure determined by the Government of the Republic of Kazakhstan;

70-1) approves the rules for organization and operation of state civil protection system;

70-2) approves the rules for organization of civil protection notification system and the rules for alerting the population and state authorities of emergency situations in peace and war time;

70-3) approves the rules for purchase, creation and use of civil protection property;

70-4) approves the safety rules on ponds;

70-5) approves the rules for implementation of non-state firefighting services;

70-6) approves the rules for creation, maintenance, material and technical support, training and attraction of civil protection groups;

70-7) approves the rules for implementation of state registration of emergency situations of natural and technogenic character;

70-8) approves the rules for organization and conduct of civil protection activities;

70-9) approves the rules for transferring civil protection from peaceful to martial law, carrying out evacuation measures;

70-10) approves the rules for the use of military units of civil Defence in peacetime;

70-11) approves the rules for calculating the service length of rescuers of professional accident rescue services and groups for the payment of percentage increments for length of service;

70-12) approves the rules for the payment of allowance for proficiency to rescuers of accident rescue services and groups;

70-13) approves the rules for informing, propagating of knowledge, training the population and specialists in the field of civil protection;

70-14) approves the rules for investigation of accidents, disasters, catastrophes that led to emergencies;

70-15) approve the rules for certification and recertification of rescuers;

70-16) approves the qualification requirements for accident rescue services and groups;

70-17) approve the permissive requirements for non-state fire fighting services;

70-18) approves the rules for creation of fire stations by local executive bodies, their material and technical equipment in settlements where no units of the state fire service;

70-19) approves rules for extinguishing steppe fires, as well as fires in inhabited localities where no units of the state fire service;

70-20) approves the rules for coordinating of activities of duty dispatch services and the powers of unified duty and dispatching service "112" on the territory of the Republic of Kazakhstan;

70-21) approves safety rules for diving operations;

70-22) approves the standards for the number of employees responsible for prevention and liquidation of emergency situations of natural and technogenic character, for providing emergency medical and psychological assistance to the population and the employees of state fire fighting service;

70-23) approves technical regulations in the field of civil protection within its competence ;

70-24) approves in consultation with the central authorized body on budget planning, the norms for providing rescuers with food in the performance of duty, as well as during accident rescue operations and urgent operations with payment of costs from funds allocated for the maintenance of professional accident rescue services and groups;

70-25) approves, in consultation with the central authorized body on budget planning, the norms for equipping professional accident rescue services and providing cynological services;

70-26) approves, in consultation with the central authorized body on budget planning, the standards for the necessity of uniforms and special uniforms for the employees carrying out functions for prevention and liquidation of emergency situations of natural and technogenic character, rendering of emergency medical and psychological assistance to the population and employees of the state fire fighting service;

70-27) approves, in consultation with the central authorized body on budget planning, the norms for provision of foods of cadets of educational institutions of the department;

70-28) conducts accreditation of expert organizations;

70-29) approve the permissive requirements for expert organizations;

70-30) approves the rules for the accreditation of expert organizations;

70-31) approves the rules of audit in the field of fire safety;

70-32) maintains the state register of expert organizations;

70-33) approves the rules of activities of research test fire laboratories;

70-34) approves the rules for organization of fire-fighting operations;

70-35) approves the Charter of fire fighting service;

70-36) ensures the maintenance of operational reserve of the authorized body;

70-37) approve the rules for certification of non-state fire fighting services;

70-38) assesses disaster risks from climate-related hazards within its competence;

70-39) within its competence and according to priority, implements climate change adaptation measures, including those aimed at preventing new risks, reducing existing hazards and building resilience;

70-40) monitors and evaluates the efficiency of climate change adaptation measures implemented within its competence, and adjusts these measures;

70-41) develops and approves fire safety regulations;

70-42) draws up and approves the rules for the medical and psychological rehabilitation of civil defence personnel in medical institutions and rehabilitation centres;

71) implements other powers provided 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.

2. The authorised body shall have a banner and a symbol. Its territorial units and educational organisations shall have banners, military civil defence units shall have battle banners.

The description of the banner and symbol of the authorised body, banners of territorial sub-divisions and educational organisations of the authorised body, battle flags of military units of civil defence shall be approved by the President of the Republic of Kazakhstan.

Footnote. Article 12 as amend by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 29.12.2014 № 269-V(shell be enforced from 01.01.2015); dated 29.10.2015 № 374-V(shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 08.04.2016 № 490-V(shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.10.2018 No. 184-VI (shall be enforced upon expiry of six months after its first official publication); dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication); No. 332-VI of 25.05.2020 (shall come into force ten calendar days after the date of its first official publication); No. 401-VI of 02.01.2021 (shall take effect on 01.07.2021); No. 58-VII of 29.06.2021 (shall be enacted ten calendar days after the date of its first official publication); No. 75-VII of 24.11.2021 (shall come into force ten calendar days after the date of its first official publication); dated 21.12.2022 No. 167-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 12-1. Competence of the authorized body in the field of state material reserve

The authorized body in the field of state material reserve exercises the following powers:

1) form and implement the state policy in the field of the state reserve;

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

3) Is excluded by the Law of the Republic of Kazakhstan dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication);

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

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

6) manages the system of the state reserve, ensures compliance with the requirements of this Law and other normative legal acts of the Republic of Kazakhstan while placing, storing, relocating, refreshing and using material assets of the state reserve;

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

8) purchases petroleum products from a single operator for the supply of petroleum products, determined by the authorized body for state regulation of the production of petroleum products;

9) carries out an inventory of material assets stored in the storage facilities of the state reserve material assets, it is involving officials and specialists of relevant state bodies to carry out an inventory;

10) carries out debt and penalties collection activities on claims arising out of participants in transactions with material assets of the state reserve;

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

12) decides on the release of material assets from the state reserve system for refurbishment, disposal;

12-1) take a decision on transfer of material assets of the state reserve;

12-2) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

12-3) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

13) excluded by the Law of the Republic of Kazakhstan dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after the day of its first official publication);

14) takes decisions on the transfer of the disposed assets of mobilization reserve in order to replenish the nomenclature of the state reserve;

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

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

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

17-1) decides on the release of material assets of the state reserve in the order of borrowing;

17-2) in coordination with the authorized body for the management of state property, decides on the release of material assets of the state reserve in the order of disbanding for destruction and disposal;

18) exercises other powers stipulated 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.

Footnote. Chapter 2 is supplemented by Article 12-1 in accordance with the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by the Law of the Republic of Kazakhstan dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication); No. 332-VI of 25.05.2020 (shall come into force ten calendar days after the date of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 12-2. The authorized body in the field of industrial safety

The authorized body in the field of industrial safety exercises the following powers:

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

2) carries out state control and supervision in the field of industrial safety;

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

4) is excluded by the Law of the Republic of Kazakhstan from 29.12.2014 No. 269-V (effective from 01.01.2015);

5) organizes and conducts investigation of accidents in cooperation with interested state bodies within its competence;

5-1) organises and conducts technical investigations into the loss of explosives and explosives-based products in conjunction with the relevant government bodies within its competence;

6) conducts certification of legal entities for the right to implement works in the field of industrial safety;

6-1) certifies professional emergency services in the field of industrial safety;

7) authorises the use of technologies used at hazardous production facilities, dangerous technical devices;

8) issues a permit for the permanent use of explosives and articles on their basis and for explosive works;

8-1) issues a license to carry out activities for the development, production, purchase, sale, storage of explosive and pyrotechnic (excluding civil) substances and products with their use ;

8-2) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

9) develops and ensures the implementation of the main directions of state policy in the field of industrial safety;

10) is excluded by Law of the RK No. 26-VII of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication);

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

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

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

13-1) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

13-2) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

13-3) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

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

14-1) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

14-2) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

14-3) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

14-4) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

14-5) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

14-6) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

14-7) develops and approves the rules for the safe operation of lifts for persons with disabilities (persons with disability);

14-8) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

14-10) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

14-11) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII

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

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

17-1) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

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

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

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

21) 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.

Footnote. Chapter 2 is supplemented by Article 12-2 in accordance with the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by the Laws of the Republic of Kazakhstan dated 29.12.2014 № 269-V (shall be enforced from 01.01.2015); dated 29.03.2016 № 479-V (shall be enforced upon expiry of twenty one calendar days after the day its first official publication); dated 05.10.2018 No. 184-VI (shall be enforced upon expiry of six months after its first official publication); No. 26-VII of 01.04.2021 see Article 2 for the enactment procedure); dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023); dated 27.06.2022 No. 129-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 13. Competence of central executive bodies in the field of civil protection

The central executive bodies of the Republic of Kazakhstan within the limits of their competence:

- 1) develop and approve the civil defence plan of the central executive body;
- 2) develop, approve and (or) coordinate regulations, normative technical documents and rules, conduct state industrial accounting for civil protection and submit these data to the authorized agency;
- 3) manage the monitoring, control and forecasting services of emergency situations that are under their control;
- 4) organize scientific researches, propaganda of knowledge, training of the population and specialists in the field of civil protection;
- 5) ensure the implementation of regulatory legal acts of the Republic of Kazakhstan in the field of civil protection;

6) prepare proposals on the list of organizations for the storage of material assets of the state reserve;

7) send proposals on the transfer of material assets of mobilization reserve to the authorized body in the field of mobilization training;

8) provide organizational assistance to authorized body in the field of state material reserve in the process of forming and storing of material assets of the state reserve;

9) submit proposals to the Government of the Republic of Kazakhstan on borrowing and unbundling material assets of the state reserve in coordination with the authorized body in the field of the state material reserve;

10) Is excluded by the Law of the Republic of Kazakhstan dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication);

11) submit proposals to the Government of the Republic of Kazakhstan on the volume and structure of expenditures for the formation and storage of material assets of the mobilization reserve;

12) carry out measures to prevent fires in subordinate organizations;

13) manage the branch subsystems of civil protection;

14) create stocks of civil defence property in subordinate organizations and exercise control over their storage, updating and maintenance in readiness for use;

15) organize the development and approval of action plans for liquidation of emergency situations of a global and regional scale;

16) ensure the creation of reserves (urban, suburban), satellite and mobile control points;

17) exercise other powers stipulated 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.

Footnote. Article 13 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication; dated 05.10.2018 No. 184-VI (shall be enforced upon expiry of six months after its first official publication); dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication);

Article 14. Competence of the Ministry of Defence of the Republic of Kazakhstan in the field of civil defence

Ministry of Defence of the Republic of Kazakhstan:

1) notifies the authorized body, and through local bodies of military management - territorial subdivisions of the department of the authorized body on introducing the appropriate degree of combat readiness, as well as announcing mobilization;

2) conduct on the basis of decrees of the President of the Republic of Kazakhstan, the conscription of citizens for military service in the system of civil defence of the Republic of Kazakhstan, as well as the call of citizens for mobilization;

3) interacts with the authorized body when solving tasks on protection the population and territories from the consequences of the use of modern means of destruction, as well as on prevention and liquidation of emergency situations and their consequences;

4) exercise 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

Footnote. Article 14 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication)

Article 15. Competence of local representative and executive bodies in the field of civil protection

1. Local representative bodies:

1) approve regulations on public order and safety in emergencies, prevention and elimination of emergencies, for the violation of which administrative liability is prescribed;

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

2. Local executive bodies in the field of civil protection shall implement liquidation of the consequences of local emergency situations on the territory of the relevant administrative-territorial unit, as well as ensure their prevention and liquidation in coordination with territorial subdivisions of the authorized body.

3. The powers of local executive bodies in the field of civil protection include:

1) informing the population and organizations about measures in the field of civil protection;

2) organizing of fire stations, their material and technical equipment in populated areas where there are no units of the state fire fighting service;

3) rendering of necessary assistance in case of harmful effects of hazardous industrial factors with the use of available forces, means and resources to implement measures on their localization, saving lives, protecting their health, rights and interests, protecting property, maintaining public order;

4) creation and maintenance of forces and means of territorial management subsystem of civil protection in a constant readiness;

5) participation in investigation of accidents, emergency situations;

6) ensuring of implementing of the local budget for civil defence, prevention and liquidation of emergencies and their consequences in accordance with the approved budgetary assignments;

7) carrying out of measures on environment enhancement, restoration of economic activities of individuals and legal entities after the liquidation of emergency situations;

8) management of territorial subsystem of civil protection within its competence;

- 9) determining the volumes and taking the necessary measures to accumulate, store, update and maintain the availability of civil defence assets;
- 10) increase of reliability and stability of existing buildings and structures in the areas of developed deposits and seismically dangerous regions;
- 11) organization of placing technical means of notification and information;
- 12) organization of information interaction between accident and emergency services of oblasts, cities of republican significance, the capital, districts, cities of oblast and regional significance, civil protection services with a unified duty and dispatch service "112";
- 13) life support of the population in emergency situations;
- 14) approval of action plans for liquidation of emergency situations of local scale and their consequences;
- 15) extinguishing of steppe fires, as well as fires in populated areas where there are no units of the state fire service;
- 16) allocation of funds from emergency reserve of local executive bodies to prevent and eliminate emergency situations of natural and technogenic character and their consequences;
- 17) development and taking measures on prevention of emergency situations, preservation of people's life and health, protection of material and cultural assets, as well as liquidation of consequences and reduction of damage in emergency situations;
- 18) organization of medical support, including medicines and medical products to the people injured in the emergency zone;
- 19) ensuring of creation of reserve (urban, suburban), satellite and mobile control points;
- 20) implementation of other powers imposed on local executive bodies by the legislation of the Republic of Kazakhstan in the interests of local state government;
- 21) state supervision in the field of industrial safety over the operation of hazardous technical devices operating under a pressure of more than 0.07 megapascals or at a water heating temperature of more than 115 degrees Celsius, lifting mechanisms, escalators, cable cars, funiculars, elevators, travelators, as well as lifts for persons with disabilities (persons with disabilities) at social facilities infrastructure;
- 22) registers and deregisters dangerous technical devices at social infrastructure facilities;
- 23) exercising, in the interests of local government, other powers assigned to local executive bodies by the legislation of the Republic of Kazakhstan.

4. Local executive bodies have the right:

- 1) to take a decision on allocating budgetary funds in accordance with the budget legislation of the Republic of Kazakhstan for social assistance in accordance with paragraphs 3, 4, 5 and 7 of Article 103 of this Law to voluntary firefighters, rescuers of voluntary emergency services and groups, as well as to the members of their families;
- 2) to provide assistance in equipping of voluntary accident rescue services and groups, voluntary fire-fighting units;

3) provide assistance to the authorized body in material and technical equipping, construction, reconstruction and repair of buildings and structures of its department territorial subdivisions and state institutions subordinated to it in accordance with the list approved by the authorized body in the presence of budgetary funds.

Footnote. Article 15 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication) ; dated 28.12.2018 No. 211-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2019 No. 284-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); No. 352-VI of 29.06.2020 (shall come into force ten calendar days after the date of its first official publication); No. 26-VII of 01.04.2021 (shall take effect ten calendar days after the date of its first official publication); dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023); dated 27.06.2022 No. 129-VII (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 16. Rights and obligations of organizations in the field of civil protection

1. Organizations have the right:

- 1) to submit proposals on ensuring civil protection to the state and local authorities;
- 2) to carry out works on establishing the causes and circumstances of accidents, incidents and fires that occurred at their facilities;
- 3) to establish measures of social and economic incentives on ensuring civil protection within the limits determined by the legislation of the Republic of Kazakhstan;
- 4) to receive information on civil protection issues;
- 5) to create, reorganize and liquidate a non-state fire-fighting service in accordance with the legislation of the Republic of Kazakhstan, which they maintain at their own expense, and also to involve a non-state fire-fighting service on the basis of contracts,;
- 6) to conduct an assessment of risks in the field of industrial safety.

2. Organizations are obliged to:

- 1) comply with the requirements established by the legislation of the Republic of Kazakhstan in the field of civil protection, as well as comply with the instructions to eliminate violations issued by state inspectors;
- 2) develop and implement measures on ensuring industrial and fire safety;
- 3) conduct fire prevention propaganda, as well as train their own employees with fire safety measures;
- 4) create a non-state fire fighting service or conclude contracts with a non-state fire fighting service in cases provided by the legislation of the Republic of Kazakhstan;
- 5) keep the systems and fire extinguishing means in proper condition, do not allow them to be used for other purposes;
- 6) provide assistance in extinguishing fires, liquidation of accidents, establishing the causes and conditions for their occurrence and development, as well as identifying people

who violated the requirements of fire and industrial safety, the occurrence of fires and accidents, provide access to units of civil protection forces in the performance of their official duties on the territory of organizations in the manner established by the legislation of the Republic of Kazakhstan;

7) provide information and documents on the state of fire and industrial safety, including the fire danger of products manufactured by them, as well as fires, accidents, incidents and their consequences occurred on their territories upon the request of authorized bodies in the field of civil protection and industrial safety and their state inspectors,;

8) immediately inform the fire fighting service on fires that have occurred, changes in the condition of roads and entrances;

9) provide information, to notify employees and population about the threat of occurrence or occurrence of emergency situations in accordance with the procedure established by the legislation of the Republic of Kazakhstan,;

10) ensure compensation for harm (damage) inflicted in consequence of emergency situations to employees and other citizens, to carry out measures on environment enhancement after the liquidation of emergency situations, to restore economic activities of individuals and legal entities in the cases provided by the legislation of the Republic of Kazakhstan;

11) plan and implement measures to protect employees and facilities of industrial and social significance from emergency situations.

3. Organizations that have hazardous industrial facilities and (or) engaged to work on them, in addition to paragraph 2 of this article are obliged to:

1) apply technologies, hazardous technical devices, explosive substances and products based on them, approved for use in the territory of the Republic of Kazakhstan;

2) organize and carry out industrial control of compliance with industrial safety requirements;

3) conduct examination and diagnosis of industrial buildings, technological facilities;

4) carry out technical certification of technical devices used at hazardous industrial facilities, as well as those specified in paragraph 2 of Article 71 of this Law;

5) conduct an expert examination of technical devices that have completed standard service time to determine the possible period for their further safe operation;

6) allow officials and employees who meet the established requirements of industrial safety to work at hazardous production facilities;

7) take measures to prevent unauthorized persons from entering hazardous facilities;

8) analyse the reasons for accidents, incidents, losses of explosives and explosives-based products, and implement measures to prevent and eliminate the harmful effects of occupational hazards and their consequences;

9) immediately inform employees, the professional industrial safety emergency service, the territorial office of the competent authority and the territorial office of the competent

industrial safety authority, local executive authorities and, in the event of a hazardous production factor, the public in the calculated emergency zone;

10) maintain records of accidents, incidents, losses of explosives and explosive-based products at hazardous production facilities;

11) envisage the expenses for ensuring industrial safety when developing plans of financial and economic activities of hazardous industrial facility;

12) provide information on injuries rate and incidents to territorial subdivisions of the authorized body in the field of industrial safety;

12-1) provide the territorial units of the authorised industrial safety body with information on the accounting (receipt, expenditure, issue and return) of explosives and explosive-based products used in blasting operations at hazardous production facilities;

13) provide the state inspector with personal protective equipment, safety devices at a hazardous production facility;

14) ensure timely updating of technical devices that have completed their standard service time;

15) declare industrial safety of hazardous industrial facilities determined by this Law;

16) ensure the staffing of the personnel of hazardous industrial facility in accordance with the requirements established by the legislation of the Republic of Kazakhstan;

17) provide training, retraining and testing of knowledge of specialists and employees in the field of industrial safety;

18) enter into contracts with professional industrial safety emergency services to perform preventive and mine-rescue, gas rescue, anti-flare work at hazardous production facilities, or establish professional on-site industrial safety emergency services;

19) is ecluded by Law of the RK No. 26-VII of RK of 01.04.2021 (shall be enacted ten calendar days after the date of its first official publication);

20) register and deregister hazardous production facilities;

21) coordinate draft documents for construction, expansion, reconstruction, modernization , conservation and liquidation of a hazardous production facility in accordance with this Law and the legislation of the Republic of Kazakhstan on architectural, town-planning and construction activities;

22) conduct acceptance tests, technical certifications with the participation of state inspector during the commissioning of a hazardous production facility;

23) maintain professional on-site emergency services in the field of industrial safety in readiness with the provision of the necessary machinery, equipment, means of insurance and personal protection to carry out emergency rescue work;

24) plan and implement measures on localization and liquidation of possible accidents and their consequences at hazardous industrial facilities;

25) have reserves of material and financial resources to carry out works in accordance with the accident liquidation plan;

- 26) establish monitoring, communication and support systems in case of occurrence of an accident, an incident at hazardous industrial facilities and ensure their sustainable functioning;
- 27) train employees in case of an accident, an incident at hazardous industrial facilities;
- 28) create and maintain local notification systems in constant readiness.

4. The effect of subparagraph 18) of paragraph 3 of this article does not apply to organizations that have hazardous industrial facilities and (or) employed to work on them, if they only carry out the following works on these facilities:

exploration works, except for geological exploration of hydrocarbon raw materials, and mining operations for the production of common mineral resources without drilling and blasting operations;

works with the use of load-lifting mechanisms;

work associated with the operation of petrol stations and grain collection points.

5. Organizations referred to the categories of civil defence in addition to paragraph 2 of this Article are obliged to:

1) develop and implement civil defence plans;

2) develop, approve and implement action plans on liquidation of emergency situations of site-level character and their consequences;

3) implement civil defence activities to protect employees and facilities when conducting military conflicts;

4) train civil defence employees;

5) create reserves and maintain the means of collective and individual protection in constant readiness;

6) organize accident rescue and urgent works at their facilities.

Footnote. Article 16 as amend by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 29.12.2014 № 269-V (shell be enforced from 01.01.2015) ; dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication); No. 26-VII of 01.04.2021 (see Article 2 for the enactment procedure).

Article 17. Activity of public associations in the field of civil protection

1. Public associations in the field of civil protection shall:

carry out propaganda of knowledge in the field of civil protection among the population;

assist the central and local executive bodies in providing urgent humanitarian and other assistance to the injured persons;

carry out other activities that do not contradict the legislation of the Republic of Kazakhstan.

2. Representatives of public associations shall have the right to participate in liquidation of emergency situations in existence of status of a rescuer or a voluntary firefighter, with the exception of cases established by this Law.

3. Public associations coordinate their activities in providing urgent humanitarian and other assistance to the injured persons with the authorized body or its territorial subdivisions, their actions shall be reflected in the relevant action plans on liquidation of emergency situations and their consequences.

Footnote. Article 17 as amend by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 18. rights and obligations of individuals in the scope of civil protection

1. Individuals shall have the right to:

1) preliminary receipt of information on a risk of occurrence of the hazardous factors of emergency situations that may be subjected, and on necessary security measures;

2) apply in person, direct collective applications on the issues of protection of citizens, facilities from emergency situations and consequences, caused by them to state bodies and bodies of local self-government of the Republic of Kazakhstan;

3) participate in the measures on prevention and liquidation of emergency situations and their consequences within the ambits established by the Laws of the Republic of Kazakhstan;

4) use means of collective and individual protection, other property designed for protection of citizens, in cases provided by this Law;

5) compensation for harm inflicted to their health, and damage of property in consequence of emergency situations of natural and technogenic character in the manner established by the legislation of the Republic of Kazakhstan;

6) protection of life, health and personal property in case of occurrence of emergency situations;

7) social security in cases of loss of earning capacity due to maim or disease, loss of wage earner, died or deceased from maim or disease, if they occurred due to performance of obligations on liquidation of emergency situations and their consequences, in accordance with the legislation of the Republic of Kazakhstan;

8) present claims to court for compensation for harm inflicted to their health, and damage to property due to emergency situations of natural and technogenic character.

2. Individuals shall be obliged to:

1) comply with the legislation of the Republic of Kazakhstan in the scope of civil protection;

2) inform the unified duty dispatch service “112” on threats of occurrence or occurrence of emergency situations became known to them;

3) know and perform the order of actions upon signal “Attention all!”;

4) undergo training on civil protection;

5) comply with security measures in household use and daily labour and economic activity, not to allow violations of production and technical discipline, safety requirements that may lead to occurrence of emergency situations;

6) take measures within their powers on rescuing people, property and fire-extinguishing before arrival of subdivisions of fire-fighting service;

7) provide assistance to fire-fighting service upon fire-extinguishing not linked with their extinguishment immediately;

8) perform prescriptions and legal requirements of state inspectors and bodies of civil protection;

9) participate in undergoing studies and trainings on liquidation of emergency situations and their consequences, treat with due care to means of protection of population and facilities.

3. In addition to paragraph 2 of this Article, individuals working on the hazardous industrial facilities shall be obliged to:

1) comply with requirements of industrial and fire security;

2) inform immediately the administration of organization on accidents, incidents on the hazardous industrial facility, notify fire-fighting service in case of detecting fires;

3) undergo training and instruction manual, retraining, verification of knowledge on the issues of fire and industrial safety;

4) provide assistance to commission on investigation of accident.

4. Foreign persons and stateless persons shall enjoy the rights and incur obligations in the scope of civil protection established for citizens of the Republic of Kazakhstan, unless otherwise provided by the Laws of the Republic of Kazakhstan and international treaties.

SECTION 2. CIVIL DEFENCE

Chapter 4. MANAGEMENT AND MEASURES OF CIVIL DEFENCE

Article 19. Administration and management of civil defence

1. Civil defence is administered by the Prime Minister of the Republic of Kazakhstan, who is the head of civil defence of the Republic of Kazakhstan.

2. The head of the authorized body is a deputy head of civil defence of the Republic of Kazakhstan and manages civil defence in peace time.

3. Management of civil defence in central executive bodies and organizations is carried out by their chief officers, who are the relevant heads of civil defence by their posts.

4. Management of civil defence in administrative-territorial units of the Republic of Kazakhstan is exercised by the akims, who are the chiefs of civil defence of the respective administrative-territorial units by their posts.

5. The heads of territorial subdivisions of the authorized body department are deputies of the relevant heads of civil defence of administrative-territorial units by virtue of their posts.

6. Preparation of the state for civil defence is carried out in advance in peace time, taking into account the development of armaments, military equipment and means of protection the population and facilities.

7. In exceptional cases the conduct of civil defence on the territory of the Republic of Kazakhstan or in its particular areas begins with the actual initiation of military conflicts or

imposition of military situation on the territory of the Republic of Kazakhstan or on its particular areas upon the order of the Prime Minister of the Republic of Kazakhstan.

8. Ensuring of the implementation of civil defence activities is entrusted to:

- 1) the authorized body and territorial subdivisions of its department;
- 2) structural subdivisions for organization and conduct of civil defence in central and local executive bodies of oblasts, cities of republican significance, the capital;
- 3) structural subdivisions or individual employees for organization and conduct of civil defence in organizations classified as civil defence categories directly subordinated to the chief executive officer.

Part of the positions within the limit of the staff numbers in the authorized body, department, as well as in subordinate territorial departments and state institutions shall be completed by military servants, including those transferred (attached) from the Ministry of Defence of the Republic of Kazakhstan, special state bodies, law enforcement agencies, other troops and military formations.

9. The chiefs of civil defence are obliged to:

1) adopt a civil defence plan at the appropriate level, except for the civil defence plan of the Republic of Kazakhstan;

1-1) implement a civil defence plan at the appropriate level in the event of mobilisation, martial law and wartime;

2) carry out evacuation measures on the subordinate territory in accordance with the procedure established by the legislation of the Republic of Kazakhstan;

3) to engage citizens and organizations to conduct civil defence activities in the order established by the legislation of the Republic of Kazakhstan.

Footnote. Article 19 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); No. 332-VI of 25.05.2020 (shall come into force ten calendar days after the date of its first official publication).

Article 20. Assignment of cities to civil defence groups. Assignment of organizations to the categories of civil defence

1. The assignment of cities to groups, and organizations to categories on civil defence is carried out with the purpose of complex and differentiated carrying out of actions of civil defence depending on state, defence significance and life support of population.

2. The following groups are defined for cities depending on the volume of performed tasks on civil defence: the special, the first, the second and the third.

The assignment of cities to the groups is established by the following criteria:

- 1) the special group includes the cities of republican significance and capital;
- 2) the first group includes cities:
with population of one million people or more;

with population of five hundred thousand or more, on the territory of which there are at least three organizations of a particularly important category or more than fifty categorized organizations;

if more than fifty percent of the population or the territory of the city fall into the zone of possible emergency situation of a global or regional scale;

3) the second group includes cities:

with population of five hundred thousand people or more;

with population of two hundred and fifty thousand to five hundred thousand people on the territory of which there are at least two organizations of a particularly important category or more than twenty categorized organizations;

if from thirty to fifty percent of population or the city's territory fall into the zone of possible emergency situation of a global or regional scale;

4) the third group includes cities:

with population of two hundred and fifty thousand to five hundred thousand people;

with population of ten thousand to two hundred and fifty thousand people on the territory of which one organization of particularly important category or more than two categorized organizations are located;

if less than thirty percent of population or the city's territory fall into the zone of possible emergency situation of a global or regional scale.

3. Depending on potential danger, the size of the and economic consequences of possible emergencies for organizations, the following categories of civil defence are determined: particularly important and categorized.

A particularly important category include organizations on the territory of which strategic objects are located, which malfunctioning creates a threat to national security and the danger of emergency situations occurrence.

The categorized category include organizations which malfunctioning can lead to significant social and economic consequences, the occurrence of emergency situations of regional and local scales:

especially important objects of state property;

organizations with actual, building, reconstructing and projecting hazardous industrial facilities of manufacturing industry, transport and communications complex, energy production, communication and having important state and economic significance;

especially important objects of state property, handling of pathogenic biological agents of II pathogenicity group;

organizations in which territory life support facilities are located.

4. If the organization is located in the same production area with an organization classified as a civil defence category, it is equal to the same category.

5. The local executive bodies of regions, cities of republican significance and the capital, together with the territorial divisions of the authorized body, annually prepare lists for

assigning cities to groups, organizations to categories for civil defense, which are approved by the heads of civil defense of the corresponding regions, cities of republican significance and the capital.

Footnote. Article 20 as amend by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication) ; dated 28.12.2018 No. 210-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.05.2022 No. 123-VII (shall be enforced upon expiry of six months after the day of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 21. Measures of civil defence

For the purpose of protection of population, facilities and territory of the Republic of Kazakhstan, reduction of damage and losses upon occurrence of military conflicts, the central and local executive bodies, organizations appropriated to the categories on civil defence shall carry out the following measures on civil defence within the competence:

1) in advance:

plan development of civil defence;

creation and development of management systems, notification and communication systems and their maintenance in readiness for use;

creation, manning, equipping and maintenance of the forces of civil protection in readiness;

training of managing bodies of civil protection and training of population in methods of protection and actions in the cases of applying modern means of destruction;

construction and accumulation of the fund of protective structures of civil defence, their maintenance in readiness for functioning;

creation, accumulation and well-timed recreation of property of civil defence;

planning of evacuation measures;

planning and performance of measures on stable functioning of branches and organizations;

2) upon occurrence of military conflicts:

notifying on a threat and applying of modern means of destruction, informing population on procedure for actions;

sheltering of population in protective structures of civil defence, in case of necessity – use of means of individual protection;

medical treatment to wounded and defeated persons;

carrying out of evacuation measures;

creation of additional control points, points of notification and communication of civil protection;

conduct of accident rescue operations and urgent works;

restoration of violated management systems, notification and communication systems;
restoration of readiness of formation of civil protection.

Chapter 5. MILITARY UNITS, FACILITIES AND PROPERTY OF CIVIL DEFENCE

Article 22. Military units of civil defence and their tasks in peace and war time

1. The main tasks of military units of civil defence are:

1) in peace time:

liquidation of emergency situations on the territory of the Republic of Kazakhstan;

organization of military, mobilization and political training;

performance of works on life support of the population in emergency situation zones;

participation in activities aimed at the prevention of emergency situations;

ensuring of protection and service of control points under the jurisdiction of the authorized body;

transportation, escort and protection of cargos delivered to emergency situation zones, including to foreign states;

implementation of measures on training for mobilization deployment and bringing to the highest degree of military readiness;

maintenance of training facilities, bases in readiness;

2) in war time:

creation of defensive barriers and positions;

conducting of radiation and chemical reconnaissance in the centers of damage and areas of infection;

conducting of accident rescue operations and urgent works in the damaged areas, contamination zones and catastrophic flooding;

restoration of aerodroms, roads, crossings and other important elements of logistics infrastructure, equipment of transshipment points;

participation in conducting evacuation measures;

fulfillment of individual tasks of territorial defence;

fulfillment of instructions of the General Staff of Armed Forces of the Republic of Kazakhstan on the issues of defence organization.

2. Participation of military units of civil defence in accident rescue operations and urgent works on the territories of foreign states is carried out in the manner determined by international treaties ratified by the Republic of Kazakhstan.

3. The decision on applying of military units of civil defence in peace time is taken by the head of the authorized body.

4. Military units of civil defence are also recruited by civilian personnel. The list of positions replaced by civilian personnel shall be established by the head of the authorized body within the limits of total number of authorized body approved by the Government of the Republic of Kazakhstan.

5. For mobilization deployment of military units of civil defence technique, armament, stocks of material and technical means are created and maintained in accordance with the staff and standards of positedness.

6. The regime of service and the duration of working day of the personnel of military units of civil defence during accident rescue operations and urgent works are established by the head of liquidation of emergency situation, taking into account the nature, peculiarities of their conduct, sanitary rules and hygienic standards.

7. Residential premises and other buildings of military camps, training areas, educational facilities, educational and material base, material and technical means of military units of civil defence are state property. The listed property and other assets allocated to military units of civil defence are assigned to them on the right of operational management.

Footnote. Article 22 as amend by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 23. Objects and property of civil defence

1. Objects of civil defence shall include: control points, free-standing and built-in asylums, radiation shelters, storage capacities for storage of property of civil defence.

Property of civil defence shall include: means of individual protection, devices of radiation, chemical intelligence and dosimetric control, means of medical protection, means of communication and notification and other material and technical means.

2. For ensuring of measures of civil defence, the stocks of property of civil defence shall be created in managing bodies of civil protection.

3. Objects and property of civil defence being the state property and intended for ensuring of measures of civil defence and performance of mobilization tasks shall not be subject to alienation.

4. Reserve (city, country), satellite and mobile control points shall be created for operative management by the forces and means of civil protection.

5. Protective structures of civil defence of state bodies shall be maintained at the expense of budget funds.

Protective structures of civil defence located in the territory of organizations appropriated to categories on civil defence having mobilization order shall be maintained at the expense of organizations. Protective structures of civil defence shall be designed for the largest working shift and used for the purpose of civil protection.

6. In case of reorganization or liquidation of a legal entity having the objects and property of civil defence, the obligations on maintenance of objects and property of civil defence in readiness and intended use, as well as tasks on their creation and accumulation shall be transferred to new owners of objects and property of civil defence.

SECTION 3. AVIATION OF AUTHORIZED BODY, ACCIDENT RESCUE SERVICES AND GROUPS

Article 24. Aviation of the authorized body

Aviation of the authorized body performs:

- 1) flights on conducting search and accident rescue operations, assistance upon natural disasters;
- 2) flights on providing medical assistance to the population and conducting sanitary measures;
- 3) transport and passenger flights on delivering of personnel staff and cargo of the authorized body, its territorial subdivisions, accident rescue services and groups to emergency situation zones;
- 4) flights on evacuation of injured persons, population and property from emergency situation zones, as well as citizens of the Republic of Kazakhstan from foreign countries;
- 5) flights on delivering humanitarian goods to emergency zones;
- 6) participation in national and international trainings and international projects;
- 7) rendering of services on technical maintenance and repair of aviation equipment and its components;
- 8) air transportation of passengers, baggage, cargo and mail associated with activities in the field of civil protection;
- 9) flights on production of aerial surveying, cartographic-geodesic and aviation-chemical works;
- 10) flights on forestry maintenance;
- 11) flights on ensuring of construction and installation and cargo handling operations in the field of civil protection;
- 12) flights from sea-going ships and marine drilling rigs, artificial islands of the oil and gas sector for transportation of shift teams, equipment;
- 13) implementation of airport activities;
- 14) flights on patrolling of steppe, water, forest and mountain areas for prevention and liquidation of emergency situations and their consequences;
- 15) flights on prevention and extinguishing fires;
- 16) flights on organizing the services of surveillance and alert (delivery and maintenance of posts);
- 17) flights on maintenance of field expedition works;
- 18) aerovisual flights on inspecting of power lines and main pipelines;
- 19) training flights to maintain the professional level of the flight crew and master new technology equipment.

Footnote. Article 24 as amend by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Chapter 6. ACCIDENT RESCUE SERVICES AND GROUPS

Article 25. Creation of accident rescue services and groups

1. Accident rescue services and groups are subdivided into professional and voluntary accident rescue services and groups.

2. The Government of the Republic of Kazakhstan shall create emergency medical and psychological assistance services, fire and rescue, operative and rescue, water rescue, air rescue and other specialized services and formations for civil protection.

3. Managers of organizations operating hazardous industrial facilities shall be entitled to establish professional on-site emergency response and rescue services in the field of industrial safety.

4. Professional accident rescue services and groups are located in a specialized complex of buildings and structures and equipped in accordance with the legislation of the Republic of Kazakhstan.

4-1. Professional rescue services in the field of industrial safety and professional on-site rescue services in the sphere of industrial safety shall be located in a specialized complex of buildings and constructions, equipped with special machinery, apparatus and tools with due regard to the specifics of the rescue work performed, staffed with rescue workers, have a training ground, dust and gas analytical laboratory, given the specific nature of the rescue work carried out, are staffed with rescuers, have a training range, a dust and gas analysis laboratory and comply with the requirements established by the competent authority in the field of industrial safety.

5. Voluntary accident rescue services and groups are created by individuals, legal entities, as well as local executive bodies and equipped with special technology, equipment, outfit, gear and tools.

Footnote. Article 25 as amend by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication) ; dated 24.05.2018 № 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication); No. 26-VII of 01.04.2021 (see Article 2 for the enactment procedure).

Article 26. Activity of accident rescue services and groups

1. Activity of professional accident rescue services and groups shall bear special character , entail rigorous execution of orders and regulations of heads of these services by employees. The requirements shall apply to voluntary accident rescue groups as well from the date of their engagement in participation in liquidation of emergency situation.

2. The continued preparedness of professional emergency services and formations shall be ensured through drills, exercises and special training sessions on professional training.

3. Operative transport of accident rescue services and groups of authorized body shall be equipped by special devices of audio and light signals, as well as standard type light graphic colouring.

Footnote. Article 26 as amended by Law of the RK No. 26-VII of 01.04.2021 (shall take effect upon expiry of ten calendar days after its first official publication).

Article 27. Certification of rescuers

1. Rescuers shall be subjects to certification and re-certification.

2. Certification of rescuers shall be conducted with the purpose of determining:

1) the level of readiness for the performance of accident rescue operations;

2) compliance of rescuers with professional training, medical preparation, physical, psychological and moral readiness.

3. Rescuers shall be subjects to primary, repeated, periodic and unscheduled certification:

1) citizens who decided to become rescuers shall be subjects to primary certification;

2) repeated certification shall be carried out after elimination of all shortcomings revealed by the previous certification, for resumption of activities of rescuers;

3) periodic certification of rescuers shall be held once every three years;

4) unscheduled certification of rescuers shall be carried out in case of changing the type or types of accident rescue operations performed by them.

4. Certification shall be conducted by Certification Commissions, created in the manner determined by the authorized agency.

Class qualification "Rescuer of international class" shall be awarded by the Certification Commissions of the authorized agency to rescuers irrespective of departmental subordination of the accident rescue formation where they work.

Footnote. Article 27 is in the wording of the Law of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 27-1. Certification of professional emergency services in the field of industrial safety

1. Professional emergency rescue services in the field of industrial safety shall be subject to certification.

2. The purpose of the certification shall be to determine whether professional emergency rescue services in the field of industrial safety are compliant with industrial safety requirements.

3. Professional emergency rescue services in the field of industrial safety shall be subject to initial, repeated, periodic and extraordinary certification:

1) newly established professional emergency rescue services in the field of industrial safety shall be subject to initial certification;

2) re-certification shall be carried out after the deficiencies identified in the previous certification have been rectified in order to resume the activities of the professional emergency rescue services in the field of industrial safety;

3) periodic certification shall be conducted once every five years;

4) extraordinary certification shall take place if there is a change in the type or types of work undertaken by them.

4. Professional emergency services in the field of industrial safety shall be certified under the procedure laid down by the competent authority in the field of industrial safety.

5. By decision of the authorised body in the field of industrial safety, professional rescue services in the field of industrial safety, that have passed the certification, shall be issued certificates for the right to carry out rescue, gas rescue, anti-flotation work at a hazardous production facility.

Footnote. Chapter 6 as supplemented by Article 27-1 in conformity with Law of the RK No. 26-VII of 01.04.2021 (shall go into effect upon expiry of ten calendar days after its first official publication).

Article 28. Registration of accident rescue services and groups

Footnote. Article 28 is excluded by the Law of the Republic of Kazakhstan dated May 24, 2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 29. Coordination of activity of accident rescue services and groups, as well as non-state fire-fighting services

1. Coordination of activity of accident rescue services and groups, as well as non-state fire-fighting services shall be carried out by authorized body.

2. Coordination of activity of accident rescue services and groups, as well as non-state fire-fighting services in the territory of the Republic of Kazakhstan shall be carried out for the purpose of:

1) operative engagement of necessary forces and means for liquidation of emergency situations;

2) practicing of interaction between accident rescue services, groups and subdivisions of non-state fire-fighting services.

Article 30. Reorientation and liquidation of accident rescue services and groups

1. Ground for reorientation to other type of accident rescue operations and urgent works or liquidation of professional accident rescue services and groups, compulsory creation of which is provided by the legislation of the Republic of Kazakhstan is the termination of activity of organizations serviced by them or elimination of a threat of occurrence of emergency situations for prevention and liquidation of which the mentioned services and groups are intended.

2. Upon taking decisions on liquidation of voluntary accident rescue services and groups, the management of organization shall inform authorized body in this.

Article 31. Rescuers

1. Citizens who have reached the age of eighteen, have received special training and have been certified to perform rescue work in the order established by the authorized body shall be allowed to perform the duties of rescuers in rescue services and formations.

2. Citizens of the Republic of Kazakhstan shall acquire status of rescuers following the result of attestation on performing accident rescue operations after passing of medical certification, test of professional qualities, psychological tests, performance of special training standards on physical training.

3. Upon taking decision by attestation commission on assignment of status of rescuers, the citizens of the Republic of Kazakhstan shall be issued by certificate, book of a rescuer, badge with marked last name, first name and patronymic (in its existence), blood group and register number of a rescuer according to samples established by authorized body.

4. In case of performing accident rescue operations and urgent works, rescuers shall be governed by this Law, other regulatory legal acts of the Republic of Kazakhstan on the issues of accident rescue activity and shall be subordinated only to heads of accident rescue services and groups, in composition of which the mentioned works are conducted.

5. No one shall have the right to make an impact on rescuers in any form for the purpose of impeding the fulfillment of their obligations.

Footnote. Article 31 as amended by Law of the RK No. 75-VII of 24.11.2021 (shall be enacted ten calendar days after its first official publication).

Article 32. Manning of accident rescue services and groups

1. Management personnel of accident rescue services shall be grouped from among the persons having higher education conforming to specific of the activity of accident rescue service or group and underwent special training.

2. Persons with mental and behavioural disorders (illnesses) related to the use of psychoactive substances, who are registered with organizations providing medical assistance in the field of mental health with regard to mental and behavioural disorders (illnesses), including those related to the use of psychoactive substances, who have been declared unfit due to mental disorder, as well as those with an outstanding or unexpunged criminal record, shall not be employed as lifeguards in the manner prescribed by the laws of the Republic of Kazakhstan.

3. Manning of personal staff of accident rescue services or groups shall be carried out from among the persons having a status of a rescuer.

4. Persons having a status of rescuers that not admitted to work on the grounds mentioned in paragraph 2 of this Article shall be admitted to work upon termination of mentioned grounds after probation in professional accident rescue services within three months.

Footnote. Article 32 as amended by Law of the RK No. 361-VI of 07.07.2020 (shall be enforced ten calendar days after the date of its first official publication).

Article 33. Rights of rescuers

1. Rescuers involved in accident rescue operations and urgent works have the right to purchase tickets for all types of transport out of turn when they go to the place of performing the mentioned works.

2. Rescuers are provided with special outfits and equipment in accordance with the norms of positedness.

3. In the course of performing accident rescue operations and urgent works, rescuers have the right to:

- 1) get full and reliable information necessary for the performance of their duties;
- 2) unimpeded access to the territory, to housing and other premises, to land plots belonged to individuals and legal entities for taking measures aimed at rescuing people, carrying out rescue operations, except for premises, land plots occupied by diplomatic missions, consular institutions of foreign states, as well as representations of international organizations;
- 3) require that all persons in the emergency zone comply with the established security measures;
- 4) gear and equipment in accordance with technology of performing accident rescue operations;
- 5) restriction or temporary prohibition of access of citizens to separate fields, territories, premises of buildings for the purpose of their safety ensuring;
- 6) opening of closed doors and windows, as well as cladding structures in necessary cases for rescuing of people;
- 7) use of transport, communication means, property and other material assets of organizations located in the emergency zone for rescuing people, in cases and in the order established by the Government of the Republic of Kazakhstan.

4. Rescuers who acted in conditions linked with rescuing human life during accident rescue operations are released from compensation for the damage caused.

5. . Rescuers of accident rescue services and groups have the right to be provided with food products in accordance with the standards established by the authorized body in coordination with the central authorized body on budget planning during the period of performing accident rescue operations and urgent works and accommodation with paying expenses from funds allocated on the maintenance of accident rescue services and groups.

6. Rescuers of professional accident rescue services and groups injured during the performance of their duties imposed on them by an employment contract have the right to free medical treatment.

Free medical treatment is also provided to rescuers of voluntary accident rescue services and groups, citizens who are not rescuers, involved in accident rescue operations and urgent works and injured during its conduct.

7. The average salary at the main place of work remains for the citizens who are not rescuers of the site-level accident rescue services and groups, as well as for the citizens, when they are involved in carrying out accident rescue operations and urgent works.

Footnote. Article 33 as amend by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication)

Article 34. Obligations of rescuers

Rescuers shall be obliged to:

- 1) search for injured people, take measures on their rescuing, provide first aid and other types of treatment;
- 2) be in readiness to participate in performing accident rescue operations and urgent works, improve physical, special, medical, psychological training;
- 3) improve the skills of actions in composition of accident rescue groups;
- 4) comply rigorously with technology of performing accident rescue operations and urgent works;
- 5) execute rigorously orders given in course of performing accident rescue operations and urgent works by heads of accident rescue groups, in composition of which the rescuers shall take participation in performing the mentioned works;
- 6) clarify the rules of safe activities to citizens for the purpose of inadmissibility of emergency situations and procedure for actions in case of their occurrence.

Article 35. Regime of work (service) and rest of rescuers

1. In daily activity, regime of work (service) of rescuers of professional accident rescue services and groups shall be determined by internal regulations, duty schemes, schedules of lessons or other measures on special training.

2. Regime of work of rescuers of professional accident rescue services and groups within business day and working year shall be determined in accordance with the legislation of the Republic of Kazakhstan in recognition of sanitary rules and hygienic standards.

3. Duty time of rescuers of professional accident rescue services and groups at home in standby conditions and instant readiness for departure on accident rescue operations and urgent works shall be counted in amount of one fourth of hours for every hour of duty.

4. Upon performing accident rescue operations and urgent works, the work regime and length of work shift of rescuers of accident rescue services and groups shall be established by a head of liquidation of emergency situation in recognition of character of emergency situation, special aspects of performing accident rescue operations and urgent works, sanitary rules and hygienic standards.

5. Rescuers of professional accident rescue services and groups of central executive bodies shall be provided by paid leaves with a length of thirty calendar days. For every three years of length of employment, additional paid leave with a length of one day shall be provided but no more than fifteen calendar days.

SECTION 4. PREVENTION OF EMERGENCY SITUATIONS

Chapter 7. CONTROL AND SUPERVISION IN THE SCOPE OF CIVIL PROTECTION

Article 36. State control and supervision in the sphere of civil protection

1. State control and supervision in the field of civil protection shall be carried out by authorized bodies in the field of civil protection and industrial safety in order to comply with the legislation of the Republic of Kazakhstan in the field of civil protection.

2. State control and supervision in the field of civil protection is divided into:

- 1) state control in the field of civil defence;
- 2) state control in the field of fire safety;
- 3) state control and supervision in the field of industrial safety.

3. State control and supervision in the field of civil protection shall be carried out in the form of inspection and preventive control.

4. Types and procedure for conducting inspections and preventive control shall be determined in accordance with the Entrepreneurial Code of the Republic of Kazakhstan.

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

Footnote. Article 36 as amend by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 29.10.2015 № 376-V (shall be enforced from 01.01.2016) ; dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023).

Article 37. State control in the field of civil defence

1. State control in the field of civil defence is aimed at ensuring the fulfillment of requirements and measures for civil defence established by the legislation of the Republic of Kazakhstan by central and local executive bodies, categorized civil defence organizations, as well as by officials and citizens.

2. Officials exercising state control in the field of civil defence include:

1) the chief state inspector of the Republic of Kazakhstan for state control in the field of civil defence is the head of structural subdivision of the authorized body;

2) deputy chief state inspector of the Republic of Kazakhstan for state control in the field of civil defence is a deputy head of structural subdivision of the authorized body;

3) state inspector of the Republic of Kazakhstan for state control in the field of civil defence is an official of the structural subdivision of the authorized body;

4) Senior state inspector of region, city of republican significance, the capital for state control in the field of civil defence is the head of regional, the city of republican significance, the capital of territorial subdivision of the authorized body;

5) deputy senior state inspector of region, city of republican significance, capital for state control in the field of civil defence is a deputy head of regional, city of republican significance, the capital of territorial subdivision of the authorized body;

6) the state inspector of region, the city of republican significance, the capital, district, the city of regional significance, district in the city for state control in the field of civil defence is

an official of district, city of republican significance, the capital, region, the city of regional significance, region in the city of territorial subdivision of the authorized body.

Footnote. Article 37 as amend by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication)

Article 38. State control in the field of fire safety

1. State control in the field of fire safety is aimed at ensuring compliance with fire safety requirements by individuals and legal entities and is carried out by the bodies of state fire-fighting service, except for the control exercised in accordance with paragraph 2 of this article.

2. State control in the field of fire safety in the territory of the state forest fund is carried out by the authorized body in the field of forestry, on air, inland waterways and rail transport - by the authorized body in the field of transport.

The state of fire safety in underground constructions of mines and pits, on open coal cuts is controlled in the process of supervision in the field of industrial safety.

3. The following persons shall be referred to officials exercising state control in the field of fire safety:

1) chief state inspector of the Republic of Kazakhstan for state control in the field of fire safety - the head of structural subdivision of the authorized body;

2) deputy chief state inspector of the Republic of Kazakhstan for state control in the field of fire safety - a deputy head of structural subdivision of the authorized body;

3) state inspector of the Republic of Kazakhstan for state control in the field of fire safety - an official of structural subdivision of the authorized body;

4) Senior state inspector of region, the city of the republican significance, the capital for state control in the field of fire safety - the head of regional, city of republican significance, the capital of territorial subdivision of the authorized body;

5) deputy senior state inspector of region, the city of republican significance, the capital for state control in the field of fire safety - deputy head of regional, the city of republican significance, the capital of territorial subdivision of the authorized body;

6) the state inspector of region, the city of republican significance, the capital, district, the city of regional significance, the district in the city for state control in the field of fire safety - an official of region, the city of republican significance, the capital, district, the city of regional significance, the district in the city of territorial subdivision of the authorized body.

4. State control in the field of fire safety shall be carried out in the form of preventive control with a visit to the subject (object) of control and inspection in accordance with the Entrepreneurial Code of the Republic of Kazakhstan.

If violations are detected as a result of preventive control with a visit to the subject (object) of control for compliance with fire safety requirements by the state fire service bodies, an order to eliminate the detected violations shall be issued to the subject of control.

The order on elimination of the detected violations shall be handed over to the subject of control on the day of the end of preventive control with the visit of the subject (object) of control and (or) inspection.

Partially or completely suspension of the work of organizations, individual productions, production sites, aggregates, prohibition of operation of buildings, structures, electrical networks, heating devices and conducting fire-hazardous works carried out by the subjects of control in violation of fire safety requirements, as well as in case of non-compliance with the fire safety requirements stipulated by the projects during construction, reconstruction, expansion or technical re-equipment of organizations, objects, structures, buildings shall be performed by the court at the request of the state fire service bodies in accordance with the Code of the Republic of Kazakhstan on administrative offenses in case of non-fulfillment of the order on elimination of the identified violations.

5. Objects of low degree risk shall not be checked for compliance with fire safety requirements, except for unscheduled inspections in accordance with the Entrepreneurial Code of the Republic of Kazakhstan.

6. Upon receipt by the subject of control of a high or medium degree risk of a positive conclusion of an expert organization, this object of preventive control shall be exempted from inspections with a visit to the subject (object) of control for the period of validity of the conclusion, except for unscheduled inspections in accordance with the Entrepreneurial Code of the Republic of Kazakhstan.

Footnote. Article 38 as amend by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 29.12.2014 № 269-V(shell be enforced from 01.01.2015); dated 29.10.2015 № 376-V(shall be enforced from 01.01.2016); dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023).

Article 39. State control and supervision in the field of industrial safety and state control in the field of gas and gas supply

Footnote. The title of Article 39 as amended by the Law of the Republic of Kazakhstan dated December 26, 2019 No. 284-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023).

1. State control and supervision in the field of industrial safety shall be aimed at preventing the harmful effects of dangerous production factors arising from accidents, incidents at hazardous production facilities, social infrastructure facilities, personnel, and population.

2. State control and supervision in the field of industrial safety shall be carried out for:

1) compliance with industrial safety requirements by hazardous industrial facilities and organizations operating hazardous technical devices;

2) the timeliness of inspections, diagnostics of production buildings, technological facilities of hazardous production facilities, technical inspections of hazardous technical devices;

3) readiness of hazardous industrial facilities and organizations operating hazardous technical devices for performing the works on liquidation and localization of accidents and their consequences;

4) safe operation of hazardous technical devices at social infrastructure facilities;

5) preparedness of professional emergency rescue services in the field of industrial safety to carry out mine rescue, gas rescue, anti-flotation work at hazardous production facilities;

6) by legal persons certified to carry out work in the field of industrial safety.

State control and supervision in the field of industrial safety, as well as in the field of gas and gas supply shall be carried out in accordance with the Entrepreneurial Code of the Republic of Kazakhstan and this Law.

3. Officials exercising state control and supervision in the field of industrial safety include :

1) the chief state inspector of the Republic of Kazakhstan for state control and supervision in the field of industrial safety - the head of the structural subdivision of the authorized body in the field of industrial safety;

2) Deputy senior state inspector of the Republic of Kazakhstan for state control and supervision of industrial safety – a deputy head of structural subdivision of the authorized body in the field of industrial safety;

3) a state inspector of the Republic of Kazakhstan for state control and supervision in the field of industrial safety - an official of structural subdivision of the authorized body in the field of industrial safety;

4) a senior state inspector of the region, the city of republican significance, the capital for state control and supervision in the field of industrial safety - the head of the regional, the city of republican significance, the capital of territorial subdivision of the authorized body in the field of industrial safety;

5) a deputy senior state inspector of the region, the city of republican significance, the capital for state control and supervision in the field of industrial safety – a deputy head of the regional, the city of republican significance, the capital of territorial subdivision of the authorized body in the field of industrial safety;

6) a state inspector of the region, the city of republican significance, the capital, district, the city of regional significance, the district in the city for state control and supervision in the field of industrial safety – an official of the regional, the city of republican significance, the capital, the district, the city of regional significance, the district in the city of territorial subdivision of the authorized body in the field of industrial safety;

7) a state inspector of cities of republican significance, the capital, districts (cities of regional significance) for state control and supervision of the safe operation of dangerous

technical devices at social infrastructure facilities and state control over the safe operation of household cylinders and gas consuming systems of household, communal and household consumers and at social infrastructure facilities - an official of the cities of republican significance, the capital, districts (cities of regional significance) of structural subdivisions of local executive bodies.

4. The state inspector for state control and supervision in the field of industrial safety in exceptional cases that pose a threat to life and (or) people's health shall have the right to suspend or prohibit without a court decision the activities or certain types of activities of individual entrepreneurs, organizations related to the operation of hazardous production objects and (or) technical devices for a period of not more than three days with the obligatory presentation of the claim in the court within the specified period.

In such cases, an act of suspension or prohibition of activities or individual activities shall be issued in the form approved by the competent authority in the field of industrial safety, and the hazardous production facility and/or technical device shall be sealed.

The completed act shall be handed over against signature to the head of the hazardous production facility or his/her authorised person or sent by registered mail with notification.

The manager of the organisation operating a hazardous production facility shall ensure that the requirements of the issued act are met.

Failure to observe the requirements of the act on the suspension or prohibition of activities or certain types of activities shall entail liability prescribed by the laws of the Republic of Kazakhstan.

The act of suspending or prohibiting an activity or certain activities shall remain in force until a court decision has been issued.

Footnote. Article 39 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 26.12.2019 No. 284-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); No. 26-VII of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication); dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023).

Article 40. Production control in the field of industrial safety

1. Production control in the field of industrial safety shall be carried out in organizations operating hazardous industrial facilities by civil servants of production control service for the purpose of maximal possible reduction of risk of adverse effect of hazardous industrial factors to employees, population, falling into design zone of dissemination of emergency situation, environment.

2. The objectives of industrial safety monitoring shall include:

- 1) ensuring compliance with industrial safety requirements;
- 2) conducting industrial safety monitoring;
- 3) analysing and developing measures to ensure industrial safety;

- 4) identifying the circumstances and causes of violations affecting the safety of work;
- 5) coordinating work aimed at preventing the damaging effects of production hazards on facilities, people, and the environment.

3. Production control in the field of industrial safety shall be carried out on the basis of regulatory act on production control in the field of industrial safety approved by the order of a head of organization.

The regulatory act of the organisation shall contain the rights and obligations of the officials of the organisation performing production control in the field of industrial safety.

4. Industrial safety officials shall be obliged to:

1) draw up a work plan for the implementation of industrial control in the subdivisions of the organisation;

2) carry out production control of employees' compliance with industrial safety requirements;

3) arrange and perform industrial safety inspections;

4) organise the development of industrial safety and accident management plans;

5) organise the preparation of industrial safety reviews;

6) inform employees on changes in industrial safety requirements;

7) make proposals to the head of the organisation on (about):

carrying out measures to ensure industrial safety, to eliminate violations of industrial safety requirements;

suspending work carried out in violation of industrial safety requirements that endanger the lives and health of workers or that may lead to the damaging effects of occupational hazards on facilities, people and the environment;

dismissal of persons who have not been trained or retrained in industrial safety in a timely manner;

8) exercise other powers stipulated by the legislation of the Republic of Kazakhstan in the field of industrial safety.

5. Industrial safety officials shall be entitled to:

1) obtain the documents and materials required to assess the state of industrial safety in organisations with hazardous production facilities and/or other organisations engaged to work at hazardous production facilities;

2) free access to the hazardous production facility at all times of the day.

Footnote. Article 40 as amended by Law of the RK No. 26-VII of 01.04.2021 (shall take effect upon expiry of ten calendar days after its first official publication).

Chapter 8. MEASURES OF CIVIL PROTECTION ON PREVENTION OF EMERGENCY SITUATIONS

Article 41. General measures of civil protection on prevention of emergency situations

1. Measures of civil protection on prevention of emergency situations shall be carried out in recognition of probability of their occurrence and possible damage from them.

2. General measures of civil protection on prevention of emergency situations shall include:

1) organization of monitoring systems, as well as with the use of means of remote sensing of land, notifying of civil protection, protection of territories and objects from emergency situations;

2) development of oblast, city of republican significance, the capital, district, city, district in city:

plans on prevention of emergency situations;

safety data sheet;

catalogue of threats of emergency situations of natural and technogenic character;

measures on increasing stability of functioning of objects;

measures on life support of population upon possible emergency situations;

3) development of passports of aquatic areas of water objects;

4) creation and use of emergency reserves, making proposals to the relevant state bodies;

5) creation of reserve of financial resources, stocks of food-stuffs, medicinal products, material and technical means and temporary dwelling place for population;

6) informing and propaganda of knowledge in the scope of civil protection;

7) planning of building development in recognition of possible emergency situations;

8) antiseismic construction and seismic strengthening of buildings and structures in seismic hazardous regions;

9) ensuring of readiness of managing bodies, forces and means of civil protection for liquidation of emergency situations and their consequences;

10) development of the action plans and conduct of studies, trainings, lessons on readiness for liquidation of emergency situations and their consequences;

11) professional training of citizens in the scope of civil protection, training of management personnel and specialists of managing bodies of civil protection and training of population in the scope of civil protection;

12) scientific research, forecasting and risk assessment of possible emergencies, including those caused or exacerbated by the effects of climate change, and their socio-economic consequences;

13) performance of experimental and scientific research works on development and imposition of new methods of forecasting the earthquakes;

14) development and implementation of measures on prevention of adverse effect of hazardous industrial factors and their consequences on hazardous industrial facilities;

15) compulsory reporting of industrial safety of hazardous industrial facilities;

16) other measures of civil protection on prevention of emergency situations provided by this Law.

3. The authorized body shall provide statistical information and other accounting and reporting documentation (information) on general civil protection measures to prevent emergencies related to the circulation of pathogenic biological agents and the functioning of potentially dangerous biological objects to the authorized body in the field of biological safety in accordance with the legislation of the Republic of Kazakhstan in the field of biological safety.

Footnote. Article 41 as amended by Law of the RK No. 401-VI of 02.01.2021 (shall be enacted on 01.07.2021); dated 21.05.2022 No. 123-VII (shall be enforced upon expiry of six months after the day of its first official publication).

Article 42. Measures of civil protection from floods, freshets, overflowings, shallowing of seas and big bodies of water, mud flows, snow slips, landslides, earth falls

Measures of civil protection from floods, freshets, overflowings, shallowing of seas and big bodies of water, mud flows, snow slips, landslides, earth falls are oriented to safety ensuring of population, objects, infrastructure and shall include:

- 1) design, construction and operation of protective hydrotechnical and other structures;
- 2) organization of monitoring of changing a sea level and big bodies of water, state of environment, notification of population and employees of organizations on piled-up acts in coastal zone;
- 3) organization of monitoring of mud flow and avalanche situation, relevant notification of population and employees of organizations on threat and occurrence of mud flows;
- 4) development and carrying out of prevention measures on reduction of danger of mountainsides, high-mountain, morainal and drift lakes;
- 5) production of phytomelioration of mountain channels, mud flow sites, avalanche trigger zones;
- 6) performance of works on compulsory defrost of snow slips.

Article 43. Measures of civil protection from emergency situations linked with development of mineral deposits

Measures of civil protection from emergency situations linked with development of mineral deposits shall include:

- 1) increase of reliability and stability of existing buildings and structures in districts of developing deposits;
- 2) organizations of measures on reduction of possible damage from emergency situations linked with development of deposits, and in case of impossibility of their carrying out – termination of extraction and conservation of deposits with performance of required set of protection measures.

Article 44. Performance of measures of civil protection on prevention of emergency situations

Performance of measures of civil protection on prevention of emergency situations shall be imposed on heads of authorized body, central, local executive bodies of state institutions,

organizations within their competence established by this Law and other regulatory legal acts of the Republic of Kazakhstan.

For the purpose of well-timed and full carrying out of measures on prevention of emergency situations, heads of central, local executive bodies, state institutions, objects and organizations shall take additional measures on protection of population, objects and territory of the Republic of Kazakhstan into consideration.

Chapter 9. SCIENTIFIC RESEARCHES, STUDY, INFORMING AND PROPAGANDA OF KNOWLEDGE IN THE SCOPE OF CIVIL PROTECTION

Article 45. Scientific researches in the scope of civil protection

For the purpose of formation and development of complex scientific basis of civil protection, the authorized body shall organize and coordinate scientific researches in the scope of civil protection.

Main tasks of scientific researches in the scope of civil protection are reduction of negative effect of emergency situations of natural and technogenic character, development of recommendations on regulatory methodical ensuring of assessment and management of risks in the scope of civil protection.

Scientific technical ensuring in the scope of civil protection shall be carried out by scientific research organizations and educational institutions accredited and attested in accordance with the legislation of the Republic of Kazakhstan.

Financing of scientific researches in the scope of civil protection shall be carried out at the expense of budget funds and other sources not prohibited by the legislation of the Republic of Kazakhstan.

Article 46. Training in the field of civil protection

1. Professional training of citizens in the field of civil protection is conducted at educational institutions of the Republic of Kazakhstan and foreign countries that have concluded agreements on cooperation with the authorized body in accordance with specialties and with state compulsory education standards approved in the order established by the legislation of the Republic of Kazakhstan.

2. Training of management personnel and specialists of civil defence management bodies, training of population in the field of civil protection are conducted with the purpose of training action skills in emergency situations, conducting accident rescue operations and urgent works, knowledge of basic techniques and methods of self-rescue and mutual assistance, maximum reduction of possible losses among population and material damage.

Management personnel and specialists of the civil defence management bodies, as well as the heads of educational organizations and mass media, are trained and retrained in organizations and educational institutions of the authorized body and foreign states with which the authorized body has concluded cooperation agreements.

Akims of districts in the city, cities of regional significance, villages, rural settlements, rural districts, as well as the heads of organizations, organizations of preschool education and training, commanders of civil protection formations, heads of groups on civil defence classes in organizations, teachers of general education schools of all types and secondary vocational training institutions, heads of hazardous industrial facilities shall undergo training and retraining in territorial subdivisions of the authorized body.

Students who have received training or retraining in the field of civil protection are awarded with certificates of a standard type, established by the authorized body.

3. Education of children in the field of civil protection is conducted in the organizations of preschool education and general secondary education, training of citizens in organizations at the place of work, study and residence.

In organizations, organizations of preschool education and training and educational institutions located in seismically dangerous regions, the seismic trainings are conducted quarterly.

In organizations, organizations of preschool education and training and educational institutions located in the zone of emergency situation distribution of hazardous industrial facilities, training on actions of personnel, children, pupils, students in case of accidents with the release of strong poisonous and radioactive substances is conducted quarterly.

In organizations, organizations of preschool education and training and educational institutions located in mudflow, landslide, avalanche risk areas, as well as in areas of possible flooding, floods, freshets, the trainings before the beginning of dangerous period are conducted.

Footnote. Article 46 as amend by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 47. Informing and propaganda of knowledge in the scope of civil protection

1. Information of population on emergency situations shall be transferred through the system of notification of civil protection and mass media.

2. Informing and propaganda of knowledge in the scope of civil protection shall include:

1) organization of informing the population through the mass media, as well as by creation of special programs on republican and oblast (city) television channels on procedure for actions upon emergency situations;

2) organization of regular publications in press, on internet resources, programs by broadcasting networks, propagating knowledge in the scope of civil protection, safety rules in household use and at the places of production.

3. Propaganda of knowledge in the scope of civil protection shall be carried out by authorized body, as well as state bodies, organizations and public associations.

4. Central and local executive bodies shall inform population on measures taken by them in the scope of civil protection and assist to distribution of knowledge.

SECTION 5. LIQUIDATION OF EMERGENCY SITUATIONS OF NATURAL AND TECHNOGENIC CHARACTER AND THEIR CONSEQUENCES

Chapter 10. LIQUIDATION OF EMERGENCY SITUATIONS OF NATURAL AND TECHNOGENIC CHARACTER

Article 48. Declaration of emergency situation of natural and technogenic character

Declaration of emergency situation of natural and technogenic character shall be carried out by:

the Prime Minister of the Republic of Kazakhstan upon emergency situation of global or regional dimension;

akims of administrative territorial entities upon emergency situations of local dimension.

Article 49. Measures carried out upon liquidation of emergency situations of natural and technogenic character

For the purpose of dynamic response to emergency situations upon their occurrence, the managing bodies of civil protection within the competence shall conduct:

1) analysis of created situation, determination of dissemination dimension of emergency situation, preliminary assessment of man power and material damage;

2) notification of population;

3) assessment of possible development of emergency situation, integration of information on situation and preparation of analytic materials;

4) operative direction of forces and means of civil protection in accordance with the action plan on liquidation of emergency situations;

5) management of forces and means of civil protection upon performance of accident rescue operations and urgent works, taking of necessary emergency measures and management decisions on the issues of liquidation of emergency situation;

6) coordination of actions and organization of interacting the forces and means of civil protection, engaged in liquidation of emergency situation;

7) measures on life support of population in emergency situations, as well as use of stocks of material and technical resources for liquidation of emergency situations depending on dissemination dimension;

8) control of the state of forces and means of civil protection, engaged in liquidation of emergency situations in accordance with action plans on liquidation of emergency situation.

Article 50. Management of accident rescue operations and urgent works upon liquidation of emergency situations of natural and technogenic character

1. Organization and management of accident rescue operations and urgent works, management of forces and means involved in liquidation of an emergency situation of natural and technogenic character, organization of their interaction is carried out by the head of liquidation of emergency situation.

2. To the position of the head of liquidation of emergency situation is appointed:

1) an official of the authorized body by an order of the Prime Minister of the Republic of Kazakhstan in case of an emergency situation of global or regional scale;

2) an official of a local executive body by the decision of an akim of the relevant administrative-territorial unit in the case of local emergency;

3. The boundaries of the emergency situation zone are determined by the head of liquidation of emergency situation.

4. An assessment of the character of emergency situation, development of proposals to the head of liquidation of emergency situation on its localization and liquidation are carried out by operational headquarters. The operational headquarters coordinates the actions of civil protection services and groups participating in accident rescue operations and urgent works.

5. The operational headquarters is created by the decision of the head of liquidation of emergency situation.

The official of the authorized body or territorial subdivision of its department, who is the deputy head of liquidation of emergency situation is appointed as the head of operational headquarters.

The head of operational headquarters, in coordination with the head of liquidation of emergency situation and depending on the scale and emergency situation zone, creates the necessary number of operational groups and distributes their work in emergency situation zone.

6. No one has the right to interfere into the activity of the head of liquidation of emergency situation other than by removing him in the order prescribed by the legislation of the Republic of Kazakhstan, from fulfilling his duties and taking the leadership over himself or appointing another official.

7. The head of liquidation of emergency situation is obliged to take measures on immediate informing of interested state bodies and organizations about the decisions made by him.

8. In case of impossibility to conduct accident rescue operations and urgent works, the head of liquidation of emergency situation has the right to take decisions on suspension of the mentioned works fully or partly taking as a matter of priority all possible measures to rescue people in the emergency situation zone.

9. The head of liquidation of emergency situation:

1) organizes reconnaissance and assessment of the situation in the emergency situation zone, rescuing of people, using available forces and means;

2) determines the areas of concentration of main efforts to conduct accident rescue operations, necessary number of forces and means, methods and techniques of performing rescue operations;

3) takes decision on carrying out accident rescue operations and urgent works on facilities and territories of organizations located in the emergency situation zone;

4) carries out the setting of tasks to accident rescue services and groups, organizes their interaction, ensures their safety and the fulfillment of the assigned tasks;

5) monitors the change of situation in the emergency zone;

6) calls, if necessary, additional forces and resources, organizes their meeting, determines the place (area) of conducting emergency rescue operations;

7) organizes the creation of a reserve of forces and means, determines the order of shift work;

8) informs the Government of the Republic of Kazakhstan, the authorized body on the current situation and the decisions taken to organize and conduct accident rescue operations and urgent works in emergency situation zone of a global or regional scale;

9) determines the procedure for departure of forces and assets from the place of emergency situation.

10. In case of emergency (immediate threat to life and health of people), the head of liquidation of emergency situation in case of emergency distribution:

restricts people and transport access to the emergency situation zone;

suspends the activities of organizations in the emergency situation zone;

attracts to accident rescue operations the forces and means of rescue services and civil protection units and rescuers that are not part of the mentioned formations;

involves on a voluntary basis the population to carry out urgent work, as well as individual citizens who are not rescuers, with their agreement to perform accident rescue operations;

organizes carrying out of evacuation measures in the emergency situation zone;

engages material and technical, food, medical and other resources of organizations with subsequent reimbursement of expenses in accordance with the legislation of the Republic of Kazakhstan;

takes other necessary measures, conditioned by the development of emergency situations and the course of accident rescue operations and urgent works.

Footnote. Article 50 as amend by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 51. Engagement of accident rescue services and groups in liquidation of emergency situations

1. Engagement of accident rescue services and groups in liquidation of emergency situations shall be carried out by heads of the state system of civil protection or civil servants authorized by them within the competence:

1) upon occurrence and development of emergency situations;

2) in accordance with action plans on liquidation of emergency situations;

3) upon request of the state body or organization, in the territory of which the emergency situation is created.

2. The involvement of professional emergency rescue services in the field of industrial safety, servicing hazardous industrial facilities on a contractual basis, shall be carried out provided that sufficient forces and means are maintained to ensure the necessary level of protection of the facilities serviced.

Footnote. Article 51 as amended by Law of the RK No. 26-VII of 01.04.2021 (to be enforced upon expiry of ten calendar days after its first official publication).

Article 52. Engagement of forces and means of internal affairs bodies, other troops and military formations, public associations and population, application of the Armed Forces of the Republic of Kazakhstan for liquidation of emergency situations

Engagement of forces and means of internal affairs bodies, other troops and military formations, public associations and the population, the use of the Armed Forces of the Republic of Kazakhstan for liquidation of emergency situations shall be carried out in accordance with the legislation of the Republic of Kazakhstan and action plans (cooperation plans) on liquidation of emergency situations.

Footnote. Article 52 in the new wording of the Law of the Republic of Kazakhstan dated 10.01.2015 № 275-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 53. Assistance to accident rescue services and groups in carrying out of their activity

1. Central and local executive bodies, organizations shall be obliged to provide possible assistance to accident rescue services and groups, going to emergency situation zones, performing the works on liquidation of emergency situations and returning to the place of deployment.

2. Upon movement to the place of performing accident rescue operations and urgent works, operative transport of professional accident rescue services and groups, as well as temporary engaged and leased transport shall enjoy the right of unimpeded pass, right of first ranking supply by fuel and lubrication materials on aerodromes, gas filling station, in sea and river ports, as well as the right of primary performance of repair works on the stations of technical maintenance, aerodromes, in sea and river ports.

Article 54. Operative reserve of authorized body

Operative reserve of authorized body shall be created in advance and intended for primary life support and rendering of emergency medical treatment to population being in emergency situations zone, as well as for ensuring of accident rescue operations in the territory of the Republic of Kazakhstan.

Article 55. Seizure of property upon emergency situations of natural and technogenic character

Seizure of property upon emergency situations of natural and technogenic character shall be carried out in exceptional cases in the absence or deficiency of the state reserve in the manner provided by the Law of the Republic of Kazakhstan “On state property”.

Article 56. Accident rescue operations and urgent works upon liquidation of emergency situations

Upon accident rescue operations it shall be conducted: exploration of emergency situation zone and damage centre, localization and extinguishment of fires, search and recovery (unlocking) of injured persons from obstructions, damaged, burning buildings and structures, gas-polluted, flooded and smoked premises, rendering of first aid to injured persons and their evacuation to safe districts with provision of conditions for preservation of life, as well as actions on rescuing of material and cultural values and on protection of environment.

For the purpose of creation of safe conditions upon performance of accident rescue operations, the emergency outage of supplying liquid fuel, gas, electric power and water shall be carried out in emergency situation zone.

Upon urgent works, equipping of the routes of input of the forces and means of civil protection in emergency situation zone, strengthening or failure of building construction and structures threatening by falling or impeding safety performance of accident rescue operations, recovery of separate files of public energy networks, delivery of property for primary life support of population, sanitary clearing of territory, as well as partial renovation of damaged buildings and structures for temporary placement of injured persons in there and for other purposes linked with performance of accident rescue works, shall be carried out.

Urgent works upon liquidation of emergency situations shall be performed in tight schedules and conducted before full completion of accident rescue operations.

Chapter 11. LIQUIDATION OF CONSEQUENCES OF EMERGENCY SITUATIONS

Article 57. Carrying out of measures on liquidation of consequences of emergency situations

Carrying out of measures on restoration of engineering infrastructure, dwelling place, environmental enhancement, provision of social rehabilitating assistance to population shall be carried out by central and local executive bodies within the competence depending on character and dimension of emergency situations.

Government of the Republic of Kazakhstan and local executive bodies shall have the right to take decision on appropriation of budget funds for liquidation of consequences of emergency situations in accordance with budget legislation of the Republic of Kazakhstan.

Article 58. Compensation for harm (damage) inflicted to individuals and legal entities, environment

Individuals shall have the right to require compensation for harm due to infliction of harm to health or death of close relatives.

Individuals and legal entities shall have the right to require compensation for harm due to damage or destruction of their property due to emergency situations of technogenic character occurred by activity of individuals or legal entities.

Compensation for harm (damage) inflicted to individuals and legal entities by emergency situations of technogenic character shall be carried out by an inflictor of harm (damage) on a voluntary basis or under decision of court.

Harm inflicted to life or health of individuals shall be subject to compensation at the expense of an inflictor of harm (damage) in full measure in accordance with the legislation of the Republic of Kazakhstan.

Inflictors of harm (damage) shall be obliged to compensate for inflicted damage to environment, including expenses for recultivation of lands and reclamation of natural fertility of lands.

Harm (damage) inflicted to health and property of individuals by emergency situations of natural character shall be compensated within minimal needs of injured persons required for satisfying in the manner determined by the Government of the Republic of Kazakhstan.

Build dwelling place shall be provided to citizens who left without dwelling place in the result of emergency situation in the manner determined by the Government of the Republic of Kazakhstan.

Dwelling place from the state housing fund shall be provided to citizens on a grant basis, the dwelling place of which became uninhabitable in the result of environmental disasters, emergency situations of natural and technogenic character in the territory of the Republic of Kazakhstan.

It shall not be subject to compensation:

- 1) temporary constructions, household and other buildings not related to objects of immovable property in accordance with the legislation of the Republic of Kazakhstan on architectural, town-planning and construction activity, as well as objects built illegally;

- 2) valuable clothing, luxury items or made of precious metals, items having artistic value.

Damage inflicted to property of individuals and legal entities that was an object of insurance at the moment of occurrence of emergency situations shall be subject to compensation in the manner determined by civil legislation of the Republic of Kazakhstan, at the expense of funds of an insurer.

An insurer that carried out insurance payment, shall have the right to require compensation of insurance payment from an inflictor of damage within the made insurance payment.

SECTION 6. ENSURING OF FIRE AND INDUSTRIAL SAFETY

Chapter 12. ENSURING OF FIRE SECURITY

Article 59. Public fire-fighting service authorities

1. Public fire-fighting service authorities shall prevent fires and extinguish them, carry out rescue and emergency work, exercise state control in the area of fire safety and conduct enquiries into criminal offences related to fires.

2. The state fire service authorities shall consist of the authorised body, its department in the field of fire safety, territorial subdivisions, state institutions and educational organisations of the authorised body.

Footnote. Article 59 as amended by Law of the RK No. 58-VII of 29.06.2021 (shall come into force ten calendar days after the date of its first official publication).

Article 60. System for ensuring fire safety in the Republic of Kazakhstan

1. The system for ensuring fire safety in the Republic of Kazakhstan is a set of economic, social, organizational, scientific, technical and legal measures, as well as forces and technical means of fire-fighting service aimed at preventing fire and harm (damage) from it.

2. The system for ensuring fire safety in the Republic of Kazakhstan includes central and local executive bodies that provide fire safety, bodies of state fire-fighting services, non-state fire-fighting services, voluntary fire-fighting units, fire and technical research institutions, educational institutions, enterprises producing fire-technical products.

3. The tasks and functions of internal activities of the bodies of state fire-fighting service, aimed at ensuring fire safety in the Republic of Kazakhstan, are regulated by rules, instructions approved by the head of the authorized body.

Footnote. Article 60 as amended by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 61. Legal regulation in the field of fire security

1. Legal regulation in the field of fire security – establishment of requirements of fire security compulsory for fulfillment in regulatory legal acts of the Republic of Kazakhstan.

2. Regulatory legal acts of the Republic of Kazakhstan in the field of fire security shall include technical regulations, rules of fire security, instructions and other regulatory legal acts of the Republic of Kazakhstan containing requirements of fire security.

3. Requirements of fire security to products and (or) process of its life circle shall be established in technical regulations.

Article 62. Development and implementation of measures of fire security

Measures of fire security shall be developed in accordance with the legislation of the Republic of Kazakhstan, as well as on the basis of analysis of reasons of fire development of substances, materials, technological processes, products, constructions, buildings and structures.

Development and implementation of measures of fire security for enterprises, buildings, structures and other objects, as well as upon their design shall provide decisions ensuring safety evacuation of people in case of fires in compulsory manner.

For industrial facilities, the liquidation plans of fires providing decisions on safety ensuring of people shall be developed in compulsory manner.

Article 63. Extinguishing fires

1. Fire extinguishing is an action aimed at eliminating fires, saving people and property of individuals and legal entities.

Extinguishing of fires in the territories of settlements, strategic, especially important state facilities and objects of life-support of state property is carried out by the state fire-fighting service.

The procedure for engagement of state fire-fighting service in extinguishing fires on facilities of national security body and defence authority of the Republic of Kazakhstan, air, inland waterway and railway transport, state forest fund shall be governed by agreements between the authorized body and the relevant state bodies.

Extinguishing of steppe fires, as well as fires in populated areas where there are no units of state fire-fighting service is carried out by local executive bodies in the corresponding territory.

2. The head of the authorized body is a senior operational officer with respect to all fire services.

The heads of bodies of the state fire-fighting service in regions, cities of republican significance, the capital, districts, cities of regional significance are senior operational officers with respect to fire-fighting services located in the respective territories.

3. The procedure for using the forces and equipment included in the garrison of the fire service is determined by the schedule for the departure of the garrison units of the fire fighting service, and in the rural areas - by the plan to attract forces and resources to extinguish fires.

To call the units of fire-fighting service the unified numbers "101" and "112" are established in the telephone networks of settlements,.

4. Departure of fire fighting units to extinguish fires is carried out in unconditional order.

5. The management of fire extinguishing is carried out by the senior official of the garrison of the fire fighting service who has arrived to the fire.

The head of fire extinguishing on the principles of one-man management manages the personnel involved in fire fighting tasks, as well as those engaged in extinguishing the fire.

No one has the right to interfere in the activities of the head of fire extinguishing, other than by removing him in the manner prescribed by the legislation of the Republic of Kazakhstan, from fulfilling his duties and taking the leadership over himself or appointing another official.

6. In case of liquidation of emergency situations not related to extinguishing fires, forces and means, with the exception of money, state and non-state fire fighting services are placed at the disposal of the head of liquidation of emergency situation.

7. The head of fire extinguishing has the right:

1) to engage forces and means of non-state fire fighting services and voluntary fire-fighting units, including transport and other material and technical means for the extinguishment of fire;

2) to suspend the work of workshops and facilities for the period of work on extinguishing fires, give orders for evacuation of people, material assets from hazardous zone.

8. The employees of state fire-fighting service in extinguishing fires have the right:

1) to pass freely into the territory, housing and other premises, to land plots owned by individuals and legal entities for taking measures aimed at saving people, carrying out accident rescue operations, except for premises, land plots occupied by diplomatic missions, consular institutions of foreign states, as well as representatives of international organizations, in order to ensure the personal safety of citizens in case of fires for taking measures aimed at their rescuing, prevention of fire spread and liquidation of fire;

2) to open, if necessary, closed doors, windows, roofs, as well as enclosing structures for taking measures aimed at preventing the spread of fire and liquidation of fire;

3) to the actions provided for by subparagraphs 5) and 7) of paragraph 3 of Article 33 of this Law.

9. Material damage caused during extinguishing of fires shall be subject to compensation in accordance with the procedure established by the legislation of the Republic of Kazakhstan .

Employees of fire fighting services and voluntary firefighters, legally acting at extinguishing of fire, are released from compensation of the caused damage.

Footnote. Article 63 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 64. Objects of technical regulation and confirmation of compliance in the field of fire safety

Objects of technical regulation in the field of fire safety are products and (or) processes of its life cycle.

Confirmation of conformity of objects of technical regulation in the field of fire safety shall be carried out in the manner established by the legislation of the Republic of Kazakhstan in the field of technical regulation.

Footnote. Article 64 as amended by the Law of the Republic of Kazakhstan dated 29.10.2015 № 376-V (shall be enforced from 01.01.2016).

Article 65. Requirements for fire security upon designing, construction, reconstruction and production of objects of technical regulation and standardization for fire security

Upon designing, construction, reconstruction and production of objects of technical regulation and standardization for fire security, the following requirements shall be complied:

- 1) placement of objects of technical regulation and standardization for fire security;
- 2) application of objects of technical regulation and standardization for fire security;
- 3) fire technical classification of objects of technical regulation and standardization for fire security;

- 4) provision of objects of technical regulation and standardization for fire security by buildings and constructions of fire departments;
- 5) safety ensuring of people;
- 6) prevention of spread of fire;
- 7) ensuring of possibility of fire-extinguishing;
- 8) conduct of rescuing operations upon fire-extinguishment.

Footnote . Article 65 is in the wording of the Law of the Republic of Kazakhstan dated 05.10.2018 No. 184-VI (shall be enforced upon expiry of six months after its first official publication).

Article 66. Requirements for fire security upon operation, storage, transportation, applying and implementation of objects of technical regulation and standardization for fire security

Footnote . Heading of Article 66 is provided in the wording of the Law of the Republic of Kazakhstan dated 05.10.2018 No. 184-VI (shall be enforced upon expiry of six months after its first official publication).

Upon operation, storage, transportation, applying and implementation of objects of technical regulation and standardization for fire security, the following requirements shall be complied:

- 1) organizational and technical measures on ensuring of fire security;
- 2) evacuation route of people;
- 3) safety ensuring of people and procedure for actions upon fire development;
- 4) equipment and operative condition of engineering systems;
- 5) equipment and operative condition of automatic fire-fighting systems, their maintenance and output to the places with permanent stay of service personnel;
- 6) equipment and operative condition of fire engineering;
- 7) prevention of spread of fire;
- 8) ensuring of possibility of fire-extinguishing;
- 9) maintenance of territories, buildings and structures, premises;
- 10) ensuring of performing accident rescue operations upon fire-extinguishing.

Footnote. Article 66 as amended by the Law of the Republic of Kazakhstan dated 05.10.2018 No. 184-VI (shall be enforced upon expiry of six months after its first official publication).

Chapter 13. NON-STATE FIRE-FIGHTING SERVICE AND VOLUNTARY FIRE-FIGHTING GROUPS

Article 67. Non-state fire-fighting service

1. Main tasks of non-state fire-fighting service are:
 - 1) prevention and extinguishment of fires in organizations, inhabited localities and on facilities;

2) performance of accident rescue operations in organizations, inhabited localities and on facilities.

2. Fire security of organizations and facilities on which the regulatory legal acts of the Government of the Republic of Kazakhstan provide compulsory creation of non-state fire-fighting service, as well as in inhabited localities may be ensured by creation of non-state fire-fighting service or conclusion of service agreements with operating non-state fire-fighting services.

3. Non-state fire-fighting service shall carry out the activity in accordance with this Law and other regulatory legal acts of the Republic of Kazakhstan regulating activity of fire-fighting service.

Subjects of non-state fire-fighting service shall be obliged to provide assistance in performance of tasks in the field of fire security to bodies of state fire-fighting service.

4. Citizens of the Republic of Kazakhstan attained the age of eighteen years and underwent special training and courses of studies may be admitted to work in non-state fire-fighting service.

Persons with mental, behavioural disorders (illnesses) related to the use of psychoactive substances who are registered with organizations providing medical assistance in the sphere of mental health, regarding mental, behavioural disorders (illnesses), including those related to the use of psychoactive substances, recognized as unfit due to mental disorder, may not be employed by the non-governmental fire service, in the manner prescribed by the laws of Kazakhstan.

Non-state fire-fighting service shall be obliged to supply own employees with special clothing and fireman's outfit according to regulations established for bodies of state fire-fighting service.

5. Non-state fire-fighting service shall conform to regulations of positedness on fire engineering, fire-technical and fire-fighting equipment established for bodies of state fire-fighting service.

Footnote. Article 67 as amended by Law of the RK No. 361-VI of 07.07.2020 (shall take effect ten calendar days after the date of its first official publication).

Article 68. Voluntary fire-fighting groups

1. To implement measures on preventing and extinguishing steppe fires, as well as fires in organizations and settlements, voluntary fire-fighting groups may be established.

2. The main tasks of voluntary fire-fighting groups are:

1) prevention and extinguishment of steppe fires, as well as fires in organizations and settlements;

2) carrying out accident rescue operations related to the extinguishment of steppe fires, as well as fires in organizations and settlements;

3) performance of works and rendering of services in the field of fire safety;

4) training of population by fire safety measures and actions in case of fire.

3. Voluntary fire fighting groups are completed by voluntary firefighters.

Citizens who are capable of their business and moral qualities, and also for health reasons perform duties related to the prevention and / or extinguishing of fires are admitted to voluntary firemen on voluntary and individual basis.

Citizens admitted to voluntary firemen are registered in the register of voluntary firemen, which is conducted by voluntary fire-fighting group, and undergo initial training in specialized training centers.

The training program for initial training of voluntary firemen is approved by the authorized body.

The following training of voluntary firemen is carried out in voluntary fire-fighting group.

Program for the following training of voluntary firemen shall be developed by the head of voluntary fire-fighting group and shall be approved by the head of territorial subdivision of the authorized body.

4. For the timely response to fires, the head of voluntary fire-fighting group, in coordination with territorial subdivision of the authorized body, determines the procedure for collecting voluntary firemen and the method of their delivering to the fire.

5. In case of death (dying) of a voluntary fireman in the period of his work to prevent and extinguish fires, provide fire safety and conduct accident rescue operations, members of his family are paid a lump sum of at least ten times of annual salary for the last position held.

6. When establishing disability to a voluntary fireman as a result of maim, injury, wound, contusion, illness received during the performance of official duties, he is paid a one-time benefit in the amounts:

- 1) a person with a disability of the first or second group – five times the annual salary;
- 2) a person with a disability of the third group – twice the annual salary.

7. If a voluntary fireman receives maim injury, injury, wound, concussion, disease with persistent disability without the establishment of a disability group in the performance of his duties, he shall be paid a one-time benefit of not less than the annual amount of wages.

8. Lump-sum benefits provided for in paragraphs 5, 6 and 7 of this article shall be paid at the expense of budgetary funds.

9. The territorial subdivision of the department of the authorized body keeps a register of voluntary fire-fighting groups.

Footnote. Article 68 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 27.06.2022 No. 129-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 14. ENSURING OF INDUSTRIAL SAFETY

Article 69. Ensuring industrial safety

1. Industrial safety is aimed at compliance with the requirements of industrial safety, established in technical regulations, rules for ensuring industrial safety, instructions and other regulatory legal acts of the Republic of Kazakhstan.

2. Industrial safety is ensured by:

- 1) establishment and performance of industrial safety requirements that are mandatory, except for cases established by the legislation of the Republic of Kazakhstan;
- 2) admission to the use at hazardous industrial facilities of technologies, explosives and products based thereon that meet industrial safety requirements;
- 3) admission to the use of hazardous technical devices conforming the requirements of industrial safety in the territory of the Republic of Kazakhstan;
- 4) declaration of industrial safety of a hazardous industrial facility;
- 5) state control and supervision, as well as production control in the field of industrial safety;
- 6) industrial safety expert examinations;
- 7) attestation of legal entities for the right to conduct work in the field of industrial safety;
- 8) monitoring of industrial safety;
- 9) carrying out preventive and mine rescue, gas rescue, anti-flotation work at hazardous production facilities by professional emergency services in the field of industrial security;
- 10) installation, maintenance, technical inspection of elevators, escalators, travolators, as well as lifts for persons with disabilities in accordance with national standards;
- 11) timely renewal and technical upgrading of hazardous production facilities.

Footnote. Article 69 as amended by the Law of the Republic of Kazakhstan dated 07.04.2016 № 487-V (shall be enforced from the day of signing); dated 26.12.2019 No. 284-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); No. 26-VII of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication); dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023); dated 27.06.2022 No. 129-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 70. Signs of hazardous industrial facilities

Signs of hazardous industrial facilities are:

1) production, use, processing, generation, storage, transport (pipeline), disposal of at least one of the following hazardous substances:

source of ionizing radiation;

flammable substance – gas that becomes flammable upon standard pressure and in mixture with air and boiling temperature of which is 20 Celsius degrees or lower upon standard pressure;

explosive substance – substance which upon particular types of external influence may be capable for rapid self-spreading chemical transformation with heat emission and gas generation;

combustible substance – liquid, gas that may be capable for spontaneous ignition, as well as ignition from the ignition source and that may burn independently after its removal;

oxidizing agent – substance sustaining combustion, causing inflammation and (or) enabling inflammation of other substances in the result of oxidation-reduction exoergic reaction;

toxic substance – substance that upon influence on living organisms may lead them to death and having the following characteristics:

medium lethal dose upon introduction in stomach from 15 to 200 milligrams/kilogram of weight included;

medium lethal dose upon application on skin from 50 to 400 milligrams/kilogram of weight included;

medium lethal concentration in air from 0,5 to 2 milligrams/litre included;

high-toxic substance – substance that upon influence on living organisms may lead them to death and having the following characteristics:

medium lethal dose upon introduction in stomach no more than 15 milligrams/kilogram of weight;

medium lethal dose upon application on skin no more than 50 milligrams/kilogram of weight;

medium lethal concentration in air no more than 0,5 milligrams/litre;

substances substituting danger for environment, as well as characterized in water environment by the following indicators of acute toxicity:

medium lethal dose upon inhalation effects on fish within ninety six hours no more than 10 milligrams/litre;

medium poison concentration causing particular effect upon influence on daphnia within forty eight hours no more than 10 milligrams/litre;

medium inhibitory concentration upon influence on water plants within seventy two hours no more than 10 milligrams/litre;

2) production of melts of ferrous, non-ferrous, precious metals and alloys on the basis of these metals;

3) mining, prospecting, drilling, blasting, mineral extraction and processing of minerals, underground mining, except for exploration of commonly occurring minerals and mining operations without drilling or blasting.

Footnote. Article 70 as amended by Law of the RK No. 26-VII of 01.04.2021 (shall be enacted upon expiry of ten calendar days after its first official publication).

Article 71. Hazardous industrial facilities

1. Hazardous industrial facilities shall include enterprises, industrial units and other facilities of these enterprises that have the characteristics established by Article 70 of this Law and identified as such in accordance with the rules for the identification of hazardous industrial facilities approved by the authorized body in the field of industrial safety.

2. Hazardous industrial facilities also include hazardous technical devices:

1) technical devices operating under pressure of more than 0.07 MegaPascal or at water heating temperature of more than 115 degrees Celsius, with the exception of heating networks ;

2) lifting mechanisms, escalators, cableways, funiculars, elevators, travolators, as well as lifts for persons with disabilities (persons with disability);

3) steam and hot water boilers operating under a pressure of more than 0.07 megaPascal and (or) at a water heating temperature of more than 115 degrees Celsius (heat supply organization), vessels operating under a pressure of more than 0.07 megaPascal, lifting mechanisms, escalators, cable cars, funiculars, elevators, travolators, as well as lifts for persons with disabilities (persons with disability) at social infrastructure facilities;

4) drilling and workover rigs with a drilling depth of over two hundred metres operated at hazardous industrial sites;

5) shaft hoisting systems and lifting machines;

6) portable storage facilities for explosives and explosive-based products, mixing and charging machines, mobile and stationary explosives and explosive-based product manufacturing facilities.

Footnote. Article 71 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); No. 26-VII of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication); dated 27.06.2022 No. 129-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 72. Attestation of legal entities for the right to perform works in the field of industrial safety

1. Legal entities are subject to attestations for the right of:

1) carrying out an expert examination of industrial safety;

2) training, retraining of specialists, employees in the field of industrial safety;

3) carrying out expertise in the field of blasting;

4) is excluded by Law of the RK No. 26-VII of 01.04.2021 (shall go into effect ten calendar days after the date of its first official publication);

5) conducting technical maintenance of gas consuming systems;

6) installation, maintenance, technical diagnostics, technical inspection and repair of elevators, escalators, travelators, as well as lifts for persons with disabilities.

2. The certification of legal entities for the right to carry out works in the field of industrial safety shall be carried out in the manner determined by the authorized body in the field of industrial safety.

3. Consideration of documents on certification for the right to carry out works in the field of industrial safety shall be carried out by the authorized body in the field of industrial safety.

4. Following the results of consideration, the authorized body in the field of industrial safety shall take decision on issuing a certificate for the right to work in the field of industrial safety (hereinafter – the certificate) or on the refusal to issue a certificate.

5. Excluded by the Law of the Republic of Kazakhstan dated November 25, 2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

6. The issuance of a certificate may be denied due to the applicant's inconsistency with the requirements for legal entities certified for the right to carry out works in the field of industrial safety.

If a legal entity eliminates the indicated reason, the application for certification shall be considered on a common basis.

7. The certificate is valid for five years.

In the event that an organisation, certified by the authorised body in the field of industrial safety for the right to carry out works in the field of industrial safety (hereinafter - the certified organisation), carries out activities in violation of the requirements of the legislation of the Republic of Kazakhstan on civil protection, including the provision of false information in the document specified in paragraph 2 hereof, the said organisation shall be held administratively liable in the manner prescribed by the legislation of the Republic of Kazakhstan.

The deprivation of the certificate is carried out in court in case of failure to eliminate the reasons for which the certificate was suspended.

The certificate is terminated in the following cases:

- 1) submission by a certified organization of an application with a request to terminate the certificate;
- 2) expiration of its validity period;
- 3) liquidation of a legal entity;
- 4) deprivation of the certificate.

8. Information on certified organizations or termination of the certificate shall be placed by the authorized body in the field of industrial safety on its Internet resource and (or) shall be published in periodicals distributed throughout the territory of the Republic of Kazakhstan.

The authorized body in the field of industrial safety keeps a register of issued and terminated certificates.

Footnote. Article 72 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated November 25, 2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 26.12.2019 No. 284-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); No. 26-VII of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication); dated 27.06.2022 No. 129-VII (shall be enforced upon expiry of ten

calendar days after the day of its first official publication); dated 14.07.2022 No. 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 73. Expert examination of industrial safety

1. Expert examination of industrial safety shall be subject to:
 - 1) hazardous technical devices specified in paragraph 2 of Article 71 of this Law;
 - 2) technologies, technical devices, materials used at hazardous industrial facilities, with the exception of construction materials used at hazardous industrial facilities;
 - 3) is excluded by Law of the RK No. 26-VII of 01.04.2021 (shall be enacted ten calendar days after the date of its first official publication);
 - 4) is excluded by Law of the RK No. 26-VII of RK of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication);
 - 5) legal entities for compliance with the declared types of work, the requirements of industrial safety when obtaining a certificate;
 - 6) is excluded by the Law of the Republic of Kazakhstan from October 28, 2015 № 366-V (effective after ten calendar days after the day of its first official publication);
 - 7) project documents subject to expert examination for industrial safety in accordance with the Code of the Republic of Kazakhstan "On Subsoil and Subsurface Use".

2. Expert examination of industrial safety is carried out by certified organizations, independent from the applicant organization, at the expense of the applicant organization.

3. The result of industrial safety expert examination shall be an expert conclusion.

Footnote. Article 73 as amended by the Laws of the Republic of Kazakhstan dated 29.12.2014 № 269-V (shall be enforced from 01.01.2015; dated 28.10.2015 № 366-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 27.12.2017 No. 126-VI (shall be enforced upon expiry of six months after its first official publication); No. 26-VII of RK of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication);

Article 74. Issue of permits for the use of technologies applied at hazardous production facilities, hazardous technical devices

1. Consideration of documents for obtaining a permit for the use of technologies used at hazardous production facilities and hazardous technical devices shall be carried out by the authorized body in the field of industrial safety.

2. The authorized body in the field of industrial safety, having considered the submitted documents, shall make a decision to issue a permit for the use of technologies used at hazardous production facilities, and hazardous technical devices or submit a motivated refusal

3. If in the course of operation it is revealed that the technologies applied at hazardous production facilities, hazardous technical devices do not comply with industrial safety

requirements, the permit for their use shall be revoked by the competent authority in the field of industrial safety.

4. Records of issued, revoked permits for the use of technologies applied at hazardous production facilities, hazardous technical devices shall be maintained by the competent authority in the field of industrial safety.

5. Information on technologies used at hazardous production facilities, hazardous technical devices approved for use in the territory of the Republic of Kazakhstan shall be posted on the internet site of the competent authority in the field of industrial safety.

6. Permits for the use of technologies applied at hazardous production facilities, hazardous technical devices shall be valid in the territory of the Republic of Kazakhstan for all market participants and their reissuance shall not be required.

Permits shall not be required for assemblies, parts, devices, components and spare parts that are components of technical devices, or for technical devices that have undergone the conformity assessment procedure (certification).

Footnote. Article 74 as reworded by Law of the RK No. 26-VII of 01.04.2021 (shall go into effect ten calendar days after the date of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 14.07.2022 No. 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 75. Issuance of permits for the permanent use of explosive substances and products based on them, performance of explosive works

1. Consideration of documents for obtaining a permit for the permanent use of explosives and products based on them, including those of foreign origin, shall be carried out by the authorized body in the field of industrial safety.

2. The representatives of the applicant, the certified organization and the authorized body in the field of industrial safety should be included in the test commission.

3. The permission for the permanent use of explosive substances and products on their basis is issued by the authorized body in the field of industrial safety after carrying out a complex of tests, including:

1) control tests for the conformity of explosive substances and products based on them to the requirements established in the technical documentation for their production and application, including industrial safety requirements;

2) acceptance tests in production conditions.

4. The permission for the performing of explosive works is issued by the territorial subdivision of the authorized body in the field of industrial safety. The procedure for issuing a permission for the performing of explosive works is determined by the authorized body in the field of industrial safety.

Footnote. Article 75 in the new wording of the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by the Law of the Republic of Kazakhstan dated 14.07.2022

No. 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 76. Compulsory declaration of industrial safety of hazardous industrial facility

1. Mandatory industrial safety declarations shall be required for hazardous production facilities complying with the criteria for classifying hazardous production facilities as declarable, as approved by the competent authority in the field of industrial safety.

2. The declaration of industrial safety of hazardous industrial facility (hereinafter - the declaration) is developed for designed and active hazardous industrial facilities.

3. The development of the declaration shall be carried out by the operator of the hazardous production facility itself.

4. The declaration is approved by the head of organization operating hazardous industrial facility.

The head of organization operating hazardous industrial facility is responsible for the timeliness of submission, completeness and reliability of information contained in the declaration established by the laws of the Republic of Kazakhstan.

5. is excluded by Law of the RK No. 26-VII of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication).

6. Consideration of documents for assigning the registration cipher of the declaration shall be carried out by the authorized body in the field of industrial safety.

The authorized body in the field of industrial safety, having considered the presented documents, takes decision on registration of the declaration or submits a motivated refusal.

The declaration registered by the authorized body in the field of industrial safety is stored in the authorized body in the field of industrial safety in the form of an electronic document.

7. Operation of hazardous industrial facility without declaration registered by an authorized body in the field of industrial safety is prohibited.

8. Information on hazardous production facilities with registered industrial safety declarations, shall be posted on the website of the competent industrial safety authority.

9. In case of changing conditions influencing in ensuring of industrial safety, including cases of modernization or re-profiling of a hazardous industrial facility, declaration is subject to change.

If the declaration is amended, it must be re-registered no later than three months after the amendment.

Footnote. Article 76 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication); No. 26-VII of 01.04.2021 (shall be enforced ten calendar days after the date of its first official publication); dated 14.07.2022 No. 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 77. Registration and deregistration of hazardous technical devices and hazardous production facilities

Footnote. The title of Article 77 as amended by Law of the RK No. 26-VII of 01.04.2021 (shall be enacted ten calendar days after the date of its first official publication).

1. With a view to registering or deregistering hazardous production facilities, the head of the organisation operating hazardous production facilities shall submit an application to the territorial sub-division of the competent industrial safety authority, enclosing data on the identification of hazardous production facilities.

To register or deregister a hazardous technical device, the head of the organisation operating the hazardous technical device shall:

at industrial facilities, apply to the territorial subdivision of the competent industrial safety authority;

at social infrastructure facilities, submit an application to the local executive body exercising state control and supervision in the field of industrial safety.

2. The application shall indicate the basis for identifying dangerous technical device for registration or deregistration.

3. When registering, deregistering a hazardous technical device, an appropriate entry shall be made in the register of hazardous technical devices of the territorial subdivision of the authorized body in the field of industrial safety or a structural subdivision of the local executive body exercising the function of supervision over the safe operation of hazardous technical devices at social infrastructure facilities.

4. A competent industrial safety authority shall determine the procedure for registering and deregistering hazardous technical devices at social infrastructure facilities.

Footnote. Article 77 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 26.12.2019 No. 284-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); No. 26-VII of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication); dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023); dated 14.07.2022 No. 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 78. Reconciliation of project documentation for construction, expansion, reconstruction, modernization, conservation and liquidation of hazardous industrial facilities

1. The project documentation for the construction, expansion, reconstruction, modernization, conservation, and liquidation of a hazardous production facility located within two or more regions, as well as strategic facilities, shall be coordinated with the Chief state inspector of the Republic of Kazakhstan for state control and supervision in the field of industrial safety or his/her deputies.

The project documentation for the construction, expansion, reconstruction, modernization, conservation, and liquidation of other hazardous production facilities shall be coordinated with the chief state inspector of the region, the city of republican significance, the capital for state control and supervision in the field of industrial safety or his/her deputies.

The project documentation for the construction, expansion, reconstruction, modernization, conservation, and liquidation of hazardous production facilities at social infrastructure facilities shall be coordinated with the state inspector of cities of republican significance, the capital, districts (cities of regional significance) for state control and supervision of the safe operation of hazardous technical devices at social infrastructure facilities.

2. The procedure for consideration and approval of the project documentation for the construction, expansion, reconstruction, modernization, conservation and liquidation of hazardous production facilities shall be regulated by the rules for coordinating the project documentation for the construction, expansion, reconstruction, modernization, conservation and liquidation of a hazardous production facility by organizations operating a hazardous production facility.

3. is excluded by Law of the RK No. 26-VII of 01.04.2021 (shall take effect ten calendar days after the date of its first official publication).

4. When making changes to the project documentation, reconciliation is compulsory.

Footnote. Article 78 in the new wording of the Law of the Republic of Kazakhstan dated 28.10.2015 № 366-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by Law of the RK No. 26-VII of 01.04.2021 (shall be enacted ten calendar days after the date of its first official publication); dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023); dated 14.07.2022 No. 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 79. Training and retraining of specialists, employees of hazardous industrial facilities and other organizations on the issues of industrial safety

1. Training, retraining of specialists, employees of hazardous industrial facilities for industrial safety issues is entrusted to the heads of organizations operating hazardous industrial facilities.

Training, retraining of specialists, employees of certified, design organizations and other organizations involved for work at hazardous industrial facilities on the matters of industrial safety is entrusted to the heads of these organizations.

Training, retraining is carried out by conducting training and further testing of knowledge (examinations).

2. Training and testing of knowledge (examinations) of specialists, employees of hazardous industrial facilities, as well as certified, design organizations and other organizations involved in work at hazardous industrial facilities, are carried out in the training center of a hazardous industrial facility or educational organization, if they have a certificate, granting the right to training, retraining specialists, employees in the field of industrial safety.

3. To conduct training organizations certified for the right to train, retrain specialists, employees in the field of industrial safety develop a curriculum and educational programs of industrial safety requirements for the employees which are approved by their supervisor.

4. Technical managers, specialists and workers involved in the technological process of a hazardous industrial facility, operating, performing maintenance, technical inspection, installation and repair of hazardous industrial facilities, entering the work at hazardous industrial facilities, as well as certified, design organizations and other organizations involved in work at hazardous production facilities are subjects to training:

1) employees who work at hazardous industrial sites - annually with a minimum of ten hours of prior training;

2) technical managers, experts and engineers - once every three years with a minimum of forty hours of prior training.

Persons referred to in sub-paragraph 2) of part one of this paragraph may conduct training on their own following the standard programme approved by the competent industrial safety authority.

5. Technical managers, specialists and workers participating in the technological process of a hazardous industrial facility, operating, performing maintenance, technical inspection, installation and repair of hazardous industrial facilities, as well as certified, design organizations and other organizations involved in work at hazardous industrial facilities are subjects to retraining with preliminary training on a ten-hour program in the following cases:

1) upon enforcement of regulatory legal acts of the Republic of Kazakhstan in the field of civil protection establishing industrial safety requirements, or when introducing changes and (or) amendments to the normative legal acts of the Republic of Kazakhstan in the field of civil protection that establish industrial safety requirements;

2) when appointing to a position or transferring to another job, if new duties require additional knowledge of safety from the manager or a specialist;

3) in violation of industrial safety requirements;

4) when a new equipment is put into operation or new technological processes are introduced;

5) at the request of the authorized body in the field of industrial safety or its territorial subdivisions when they establish insufficient knowledge of industrial safety requirements.

6. Organization and conduct of knowledge tests (examinations) of specialists, employees of hazardous industrial facilities, as well as certified, design organizations and other organizations involved in work at hazardous industrial facilities, are ensured by their managers in accordance with the approved schedules. Persons being subjects to verification of knowledge should be familiar with the schedule.

7. To carry out the test of knowledge of specialists, employees of organizations operating hazardous industrial facilities, as well as certified, design organizations and other organizations involved in work at hazardous industrial facilities, constantly acting

examination commissions, headed by the head or deputy head of the training center of the organization operating hazardous industrial facilities, or training organization are created by an order (act) of the head of organization operating hazardous production facilities or an educational organization

8. Heads of legal entities that declare industrial safety, as well as members of constantly acting examination commissions of the mentioned legal entities, take exams every three years in accordance with the procedure established by the authorized body in the field of industrial safety.

8-1. Supervisors and members of permanent examination boards of other legal entities shall take the examination once every three years by a commission of the training organisation or training centre of the hazardous production facility at the end of the training course, observing the principle of independence.

9. It is not allowed to check the knowledge by an examination commission of less than three people.

10. Examination tickets and (or) electronic testing programs are developed by training organizations and approved by their managers.

11. The results of knowledge testing are documented in protocols. The knowledge test protocols are kept until the next knowledge check.

12. Persons who passed the exams are issued with the certificates of a standard form established by the authorized body in the field of industrial safety, signed by the chairman of examination commission.

The heads of legal entities declaring industrial safety, as well as members of permanent examination commissions of these legal entities are issued certificates.

13. The certificate (certificate) is valid (valid) on the territory of the Republic of Kazakhstan for the period specified in it.

14. Persons who failed to pass the exams shall undergo a second examination of knowledge in a period not later than one month.

15. Persons who do not pass the exam are not allowed to work.

16. Persons with expired licenses (certificates) must pass the exam within one month after admission to work.

17. The expenses on organization training, including payment for the members of examination commission, are assigned to organizations operating hazardous industrial facilities, certified, design organizations and other organizations involved in work at hazardous industrial facilities.

Footnote. Article 79 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated November 25, 2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); No.

26-VII of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication).

Article 80. Liquidation plan of accidents

1. Liquidation plan of accidents shall be developed on hazardous industrial facility.
2. The emergency response plan shall include measures for rescuing people, actions of managers and employees of the hazardous production facility, professional emergency rescue services in the field of industrial safety.
3. Liquidation plan of accidents shall contain:
 - 1) operative part;
 - 2) distribution of obligations between employees participated in liquidation of accidents, sequence of actions;
 - 3) list of civil servants and institutes notified in case of accident and participated in its liquidation.
4. The emergency response plan shall be approved by the head of the organisation operating the hazardous production facility and agreed with the professional industrial safety emergency rescue service.

Footnote. Article 80 as amended by Law of the RK No. 26-VII of 01.04.2021 (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 81. Training alerts and emergency prevention trainings

1. Training alerts and emergency prevention trainings are conducted at a hazardous industrial facility according to the plan approved by the head of organization.

The operator of a hazardous production facility shall notify in writing the local sub-division of the competent authority in the field of industrial safety of any training alarms no later than ten working days before they are due to take place.

2. The training alarm shall be conducted by the technical manager of the organisation operating a hazardous production facility, jointly with representatives of the territorial subdivision of the competent industrial safety authority and professional emergency services in the field of industrial safety.

Emergency drills shall be held with employees for each position in the emergency plan.

3. The results of the drill and emergency drills shall be documented in a report. The head of the organisation operating a hazardous production facility shall be responsible for monitoring the implementation of the proposals set out in the act.

Footnote. Article 81 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); No. 26-VII of 01.04.2021 (shall come into force ten calendar days after the date of its first official publication).

Chapter 15. INVESTIGATION AND ACCOUNTING OF INCIDENTS, ACCIDENTS ON HAZARDOUS INDUSTRIAL FACILITIES

Article 82. Actions of organization carrying out operation of of hazardous industrial facility, in case of incident, accident

1. The organization that operates a dangerous industrial facility, in case of an incident:
 - 1) immediately informs about the occurrence of hazardous industrial factors and the incident the workers, population falling into the calculation zone of emergency situation, territorial subdivision of the authorized body in the field of industrial safety, local executive bodies;
 - 2) informs within 24 hours territorial subdivision of the authorized body in the field of industrial safety;
 - 3) investigates the incident;
 - 4) develops and implements measures to prevent incidents;
 - 5) registers happened incidents.
2. The organization that carries out the operation of a hazardous industrial facility in case of an accident:
 - 1) immediately notify employees, the professional industrial safety emergency service, the territorial sub-division of the authorised agency and the territorial subdivision of the industrial safety authority, local executive authorities, and, in the event of hazardous production factors, the public falling within the calculated emergency zone;
 - 2) provides the Commission for investigation of an accident with all necessary information for the exercise of its powers;
 - 3) carries out activities that ensure the safety of the commission work.

Footnote. Article 82 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); No. 26-VII of 01.04.2021 (shall take effect ten calendar days after the date of its first official publication).

Article 83. Objectives of an accident or incident investigation

1. The objectives of an accident or incident investigation shall include clarification of the circumstances preceding the accident or incident, determination of its causes, the nature of violations of operating conditions of technical devices, technological processes, violations of industrial safety requirements, determination of measures to eliminate consequences and prevent similar accidents or incidents, material damage caused by the accident or incident.
2. The investigation of the accident or incident shall be carried out by an appropriate commission.

Footnote. Article 83 as reworded by Law of the RK No. 26-VII of 01.04.2021 (shall go into effect ten calendar days after the date of its first official publication).

Article 84. Establishment of a commission of enquiry into an accident or incident

1. To investigate the accident, the competent industrial safety authority or its territorial sub-division shall establish a commission headed by its representative.

The commission investigating the accident shall include representatives of:

the local executive body;
the organisation operating a hazardous production facility;
the professional industrial safety emergency service or the professional on-site emergency rescue service in industrial safety.

Nominees for inclusion in the commission shall be proposed within twenty-four hours of being informed of the occurrence of the accident to the territorial subdivision of the competent industrial safety authority.

2. A state commission established by the Government of the Republic of Kazakhstan shall investigate an accident at a hazardous production facility involving a group accident with more than five fatalities.

The Government of the Republic of Kazakhstan shall be entitled to establish a state commission to investigate an accident at a hazardous production facility and on other grounds

3. The commission of the organisation operating the hazardous production facility headed by its technical manager shall investigate the incidents.

The incident investigation commission shall be composed of representatives of the operator of the hazardous production facility, as well as other persons as determined by its head.

Footnote. Article 84 as reworded by Law of the RK No. 26-VII of 01.04.2021 (shall be put into effect ten calendar days after the date of its first official publication).

Article 85. Commission for the investigation of an accident or incident and its competence

1. The work of the accident or incident investigation commission shall be carried out under an order (instruction) approved by the chairman, performing organisational arrangements and ensuring timely, high-quality investigation of the accident or incident and registration of the results.

2. The members of the commission investigating an accident or incident shall be entitled to:

1) have unimpeded access to the site of the accident or incident, to documents and materials relating to the operation of the hazardous production facility as well as to employees working therein;

2) survey and further investigate the accident or incident site;

3) interview the witnesses, employees and others involved in the accident or incident;

4) review documents and materials relating to the operation of a hazardous production facility and the implementation and enforcement of industrial safety requirements;

5) request documents and materials on the accident or incident from the relevant state authorities, as well as natural and legal persons;

6) give recommendations to prevent accidents or incidents and reduce their consequences;

7) exercise other powers stipulated by the legislation of the Republic of Kazakhstan in the field of industrial safety.

3. Employees of the operator of a hazardous production facility shall provide information requested by the accident or incident investigation commission.

4. Following the decision of the commission chairman, specialists may be involved in the investigation of the accident or incident to perform technical calculations, laboratory investigations, tests, examinations and other activities.

Footnote. Article 85 as reworded by Law of the RK No. 26-VII of 01.04.2021 (shall be enacted ten calendar days after the date of its first official publication).

Article 86. Record of the results of an accident or incident investigation

1. Following the investigation of the accident, within fifteen working days of its appointment, the commission shall compile an accident investigation report and prepare other accident investigation materials.

The time limit for investigating an accident may be extended only once by the head of the body that appointed the commission, by order (decree) stating the reasons for the extension based on an official note from the chairman of the commission, but no longer than by fifteen working days.

2. The accident investigation report shall be signed by the members of the commission.

In case a member of the commission refuses to sign the accident investigation report, the chairman of the commission shall make an appropriate entry in the report of the accident investigation in the presence of the commission members. A member of the commission may state his/her dissenting opinion in writing to be attached to the report of the investigation of the accident, before it is signed by the chairman of the commission.

3. The accident investigation report and other materials as decided by the commission shall be submitted to the operator of the hazardous production facility, and to all members of the commission for signing and sending as specified in paragraph 4 of Article 87 of this Law.

4. The chief state inspector of the Republic of Kazakhstan for state control and supervision in the field of industrial safety shall have the right to make a decision on the revision of the act of investigating the accident in case of establishing facts of violation of the investigation procedure that influenced its results, or grounds to consider the conclusions and the conclusion of the commission erroneous.

5. Following the investigation of the incident, an incident investigation report shall be drawn up by the commission.

6. The incident investigation report shall be signed by the members of the commission.

If a member of the commission refuses to sign the incident investigation report, the chairman of the commission shall make an appropriate entry in the incident investigation report in the presence of the commission members. A member of the commission shall be entitled to state his/her dissenting opinion in writing to be attached to the incident investigation report prior to its signing by the chairman of the commission.

7. The incident investigation report and other materials as decided by the commission shall be sent by the operator of the hazardous production facility to all members of the commission in pursuance of paragraph 4 of Article 87 of this Law.

8. The accident or incident investigation report shall state:

Details of the operator of the hazardous production facility (name and location of the legal entity, surname, first name, patronymic (if stated in the identity document), registered address at the place of residence of the individual entrepreneur);

the name of the hazardous production facility, its location;

causes and circumstances of the accident or incident;

the amount of harm (damage) caused;

breaches of industrial safety requirements;

measures taken to contain and eliminate the accident or incident and its consequences;

actions to be taken as a result of the investigation of the accident or incident;

proposals for the prevention of similar accidents or incidents in the operation of a hazardous production facility;

other information on the accident or incident as decided by the commission.

Footnote. Article 86 as reworded by Law of the RK No. 26-VII of 01.04.2021 (shall be enforced ten calendar days after the date of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 30.12.2021 No. 95-VII (shall be enforced from 01.01.2023).

Article 87. Measures to be taken by the operator of a hazardous production facility after investigation of an accident

1. After investigating the accident, within ten calendar days, the operator of the hazardous production facility shall draw up and approve an action plan for eliminating the consequences of the accident and preventing similar accidents.

2. Within five working days, the operator of a hazardous production facility shall send the approved action plan for accident consequences elimination and prevention of similar accidents to the territorial subdivision of the competent industrial safety authority.

3. In the event of an accident due to constructional defects of technical devices, the operator of the hazardous production facility shall send a complaint to the manufacturer with a copy to the territorial subdivision of the competent industrial safety authority.

4. The operator of a hazardous production facility shall send the accident investigation report and other materials by decision of the commission to the competent industrial safety authority and its territorial subdivision, as well as, if there are legitimate grounds, to law enforcement and interested state authorities.

Footnote. Article 87 as reworded by Law of the RK No. 26-VII of 01.04.2021 (shall be enacted ten calendar days after the date of its first official publication).

Article 88. Expenses on investigation of accident

All expenses linked with investigation of accident shall be incurred by an organization operating hazardous industrial facility.

SECTION 7. STATE RESERVE

Chapter 16. FORMATION OF STATE RESERVE SYSTEM

Article 89. The system of state reserve

The state material reserve system shall be formed by the competent authority in the area of the state material reserve, the structural unit in the area of the state material reserve and its subordinate organisations.

Footnote. Article 89 in the new wording of the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by Law of the RK No. 332-VI of 25.05.2020 (shall come into force ten calendar days after the date of its first official publication).

Article 90. Assignment of state reserve

State reserve shall be created and used for the purposes of:

- 1) ensuring of mobilization needs;
- 2) taking measures on prevention and liquidation of emergency situations and their consequences;
- 3) rendering of regulating impact on market;
- 4) rendering of aid for refugees;
- 5) rendering of humanitarian assistance.

Article 91. Legal status of material values of state reserve

1. Stocks of material values of the state reserve are republican property independently from the place of their storage.

2. In case of supposed encumbrance of storage facilities and (or) objects on which material values of the state reserve are placed, the material values shall be placed in other storage facilities in compliance with secrecy order under decision of the Government of the Republic of Kazakhstan by the rights of organizations with foreign participation.

Article 92. Placement of orders for the supply of material assets to the state reserve

1. Orders for the supply of material assets to the state reserve are placed among suppliers at the expense of budgetary funds in the order established by the legislation of the Republic of Kazakhstan.

1-1. The supply of material assets of the state reserve, which is part of the state defense order shall be carried out in the manner established by the Legislation of the Republic of Kazakhstan on defense industry and state defense order.

2. The competent authority in the sphere of the state material reserve shall act as the purchaser for the supply of material assets to the state material reserve, except for the provision stipulated in paragraph 2 of Article 96-1 of this Law.

3. Material assets supplied to the state reserve must comply with the requirements of the legislation of the Republic of Kazakhstan in the field of technical regulation for the whole period of storage.

3-1. The competent authority in the field of the state material reserve shall organize research (tests) of tangible assets supplied and stored in the state material reserve, for their compliance with the requirements of the legislation of the Republic of Kazakhstan.

Surveys (tests) of food products shall be carried out by state organisations active in the field of sanitary and epidemiological welfare of the population.

Examination (testing) of other material assets of the state reserve shall be performed by accredited testing laboratories.

Research (testing) of material shall be funded from the budget.

4. Regulations for storage of material assets of the state reserve shall be developed by a subordinate organization of the state reserve system, except for medicines and medical devices of mobilization reserve.

Footnote. Article 92 as amended by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication) dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication); No. 332-VI of 25.05.2020 (shall come into force ten calendar days after the date of its first official publication).

Article 93. Placement of material assets of the state reserve

1. Material assets of the state reserve are stored in subordinate organizations of the state reserve system and at the storage points of material assets of the state reserve.

2. Subordinate organizations of the state reserve system, storage facilities for material assets of the state reserve and organizations that have mobilization orders shall be held responsible for the qualitative and quantitative safety of material assets of the state reserve transferred for storage.

2-1. The regulations governing the operation of state reserve assets shall define the criteria for state reserve assets storage facilities.

3. The list of organisations storing material assets of the mobilisation reserve, the name and volume of storage of these assets shall be determined by the nomenclature and volume of storage of material assets of the state reserve.

4. Organizations that have been established mobilization orders shall be obliged to ensure storage, transfer, timely refreshment of material assets of the state reserve in accordance with mobilization orders, as well as their release during the sale.

In case of subsequent removal of mobilization orders from organizations and unbundling of material assets of the mobilization reserve, their storage is carried out until the complete release from the state reserve.

5. Points of storage of material assets of the state reserve and organizations that have been established mobilization orders, subordinate organizations of the state reserve system submit reports on availability and movement of material assets of the state reserve.

6. Material storage facilities of the state material reserve and organisations to which mobilisation orders have been established, in the event of a change in their profile, reorganisation, privatisation or liquidation, within five working days of the decision to carry out the above procedures, shall notify the competent authority in the area of the state material reserve and the relevant central executive authorities.

Footnote. Article 93 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication) dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication); No. 332-VI of 25.05.2020 (shall take effect ten calendar days after the date of its first official publication).

Chapter 17. USE OF THE STATE RESERVE

Article 94. Reasons for use and procedure for release of material assets from the state reserve

1. The use of the state reserve for mobilization needs is carried out on the basis of appropriate plans for mobilization training and mobilization of the Republic of Kazakhstan.

2. The use of the state reserve for providing regulatory impact on the market, assistance to refugees and humanitarian assistance is carried out by the decision of the Government of the Republic of Kazakhstan.

3. The use of material assets of the state reserve for taking measures to prevent and liquidate emergency situations of natural and technogenic nature shall be carried out by the decision of the authorized agency in agreement with the authorized agency for state material reserve.

4. The release of material assets from the state reserve is carried out in the following cases :

- 1) due to their refreshment;
- 2) in the order of borrowing;
- 3) in the order of disbandment.

5. When releasing material assets from the state reserve in the order of borrowing, a compulsory requirement is provision of a guarantee of second-tier banks in the manner determined by the authorized body the control and supervision of financial market and financial organizations.

6. Material assets of the state reserve cannot be released in the order of borrowing in cases if the recipient of material assets:

- 1) has arrears to the budget;
- 2) did not return the material assets of the state reserve received by him earlier;
- 3) is in the stage of bankruptcy.

7. When issuing material assets from the state material reserve by way of borrowing, the competent authority in the field of state material reserve shall conclude an agreement (contract) with the recipient.

8. When releasing material assets from the state reserve in the order of borrowing, the recipient pays three percent of the total amount of the set price in order to ensure the performance of the borrowing contract.

9. The release of material assets from the state reserve in the order of refreshment and disbandment is carried out in the manner determined by the Government of the Republic of Kazakhstan, except for cases of their release for taking measures to prevention and liquidate emergencies and their consequences, providing regulatory impact on the market, assistance to refugees, humanitarian assistance, transfer to the balance of other state bodies.

10. Purchase of goods of the state reserve by individuals and legal entities engaged in procurement in line with the legislation of the Republic of Kazakhstan on state procurement shall be made from the competent body in the area of the state material reserve or its structural subdivision in the area of the state reserve.

10-1. Storage facilities of material assets of the state reserve shall refresh material assets of the state reserve on a contractual basis with the subsequent deposit of material assets into the state reserve according to the nomenclature and volume of storage of material assets of the state reserve.

10-2. Transfer of tangible assets of the state reserve subject to refreshment and dispersed tangible assets upon change of nomenclature to the balance of other state bodies shall be performed on a free-of-charge basis upon decision of the competent body on state property management in coordination with state bodies - recipients and the competent authority in the field of the state material reserve.

The procedure for the transfer of state reserve tangible assets subject to freshening and dispersed tangible assets in case of change of nomenclature to the balance sheet of other state bodies shall be determined by the regulations for the operation of state reserve tangible assets.

11. Tangible assets shall be released by way of dispersal without subsequent lay-up in cases of change of nomenclature and disposal or destruction, with subsequent lay-up - for prevention and liquidation of natural and manmade emergencies and their consequences, regulatory impact on the market, assistance to refugees and humanitarian aid.

12. Funds received from the sale of tangible assets upon their release from the state material reserve shall be credited to the budget within three working days following receipt by the competent authority in the field of the state material reserve of confirmation of the full performance of the contract.

13. The material assets of the state reserve used in taking measures for prevention and liquidation of emergencies and their consequences, the provision of regulatory impact on the market, assistance to refugees and humanitarian assistance are subject to compensation, at the expense of budgetary funds.

Compensation of costs for the delivery and transfer of humanitarian assistance is carried out from the reserve of the Government of the Republic of Kazakhstan on the basis of the decision of the Government of the Republic of Kazakhstan.

Footnote. Article 94 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication) dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication); No. 332-VI of 25.05.2020 (shall come into force ten calendar days after the date of its first official publication); No. 352-VI of 29.06.2020 (shall be enforced ten calendar days after the date of its first official publication).

Article 94-1. Disposal of tangible assets of the state reserve

1. The decision to dispose of tangible assets in the state material reserve shall be taken by the competent authority in the field of state material reserve in coordination with the competent authority for state property management.

2. Tangible assets of the state reserve shall be disposed of at the expense of budgetary funds under the procedure established by the legislation of the Republic of Kazakhstan.

3. Disposed goods shall be sold by a competent authority in the field of state material reserves according to the rules for write-off, destruction, disposal of state material reserves and sale of disposed goods.

Footnote. Chapter 17 as supplemented by Article 94-1 in obedience to Law of the RK No. 332-VI dated 25.05.2020 (shall be enacted upon expiry of ten calendar days after the date of its first official publication).

Article 95. Use of state reserve for rendering of regulate impact on market

In case of occurrence of crisis developments and threatening disproportions between supply and demand on internal market, material values of the state reserve on the basis of decisions of the Government of the Republic of Kazakhstan shall be used for rendering of regulate impact on market.

Article 96. Procedure for release of material assets from the state reserve to provide regulatory impact on the market

1. The authorized agency for trade activity regulation and the authorized agency for development of agro-industrial complex shall monitor the prices of goods and, in case that the price level at which the regulatory impact on the market is efficient, by agreement with the authorized agency for the state material reserve makes an offer to the Government of the Republic of Kazakhstan on necessity to release material assets from the state reserve for providing regulatory impact on the market with indication of the subjects of trading activity - recipients, volume, price and size of trades surcharge of released material assets.

2. Selection of subjects of trading activity in case of use the state reserve for rendering of regulating impact on the market is carried out on the basis of the following criteria:

1) legal capacity and capability confirmed by documents proving the identity or a certificate of state registration (re-registration) of a legal entity in accordance with the legislation of the Republic of Kazakhstan;

2) paying capacity expressed in the absence of debts to the bank, where the business entity is served, confirmed by the availability of a certificate from the bank or its branch;

3) the possibility of selling the purchased goods in retail trade networks, confirmed by title documents or a lease contract for retail trade network facilities in accordance with the legislation of the Republic of Kazakhstan;

4) the availability of storage facilities capable of ensuring the proper safety of the purchased goods, confirmed by title documents or a lease contract for storage facilities in accordance with the legislation of the Republic of Kazakhstan, documents of the authorized bodies in the field of public health and civil protection.

3. The competent authority in the field of the state material reserve shall release tangible assets from the state material reserve based on the decision of the Government of the Republic of Kazakhstan by concluding contracts with the subjects of trade activities. Money received from the release of tangible assets from the state reserve for market regulation shall be transferred to the budget revenue.

Realization of material assets released from the state reserve to provide regulatory impact on the market is carried out by the subjects of trading activity through retail trade.

Footnote. Article 96 as amended by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 07.11.2014 № 248-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 03.12.2015 № 432-V ((shall be enforced from 01.01.2017); dated 29.03.2016 № 479-V (shall be enforced upon expiry of twenty one calendar days after the day its first official publication) dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after its first official publication); No. 332-VI of 25.05.2020 (shall come into force ten calendar days after the date of its first official publication).

Article 96-1. Specifics of supply, storage and release of medicines and medical devices of mobilization reserve

1. The provisions of this Law shall apply to the supply, storage and release of medicines and medical devices in the mobilisation reserve, with the particulars set out herein.

2. The competent authority in the field of health care shall act as the purchaser for the procurement of services for the supply, storage and release of medicines and medical devices in the mobilisation reserve in cases of change in nomenclature.

3. A single distributor determined by the Government of the Republic of Kazakhstan shall supply, store medicines and medical devices of the mobilisation reserve and release them by way of refreshment and dispersal in cases of change in nomenclature.

4. The procedure for the supply, storage and release of medicines and medical devices of the mobilization reserve shall be determined by the rules for the operation of the material assets of the state reserve.

Footnote. Chapter 17 as supplemented by Article 96-1 in obedience to Law of the RK No. 332-VI of 25.05.2020 (shall be enacted upon expiry of ten calendar days after the date of its first official publication).

Article 97. Ensuring of carriage of material values of the state reserve

1. In cases of occurrence of emergency situations or imposition of emergency state, carriage of material values of the state reserve by transport organizations shall be carried out as a matter of priority.

2. Material values released from the state reserve for taking measures on prevention and liquidation of emergency situations and their consequences, rendering of assistance to refugees and humanitarian assistance shall be accepted by transport organizations for carriage upon presenting a cargo without advance payment.

Compensation for expenses of transportation of cargo shall be carried out from emergency reserve of the Government of the Republic of Kazakhstan.

Article 98. Reporting on existence and movement of material values of the state reserve

Reporting on existence and movement of material values of the state reserve shall be carried out in the manner established by the legislation of the Republic of Kazakhstan. By this , in subordinate organizations of the state reserve system and storage facilities of material values of the state reserve, accounting and reporting on movement and storage of material values of the state reserve shall be carried out separately from accounting and reporting of other activity, carried out by them.

Article 99. Accounting of tangible assets of the state reserve

1. A competent authority in the field of the state material reserve shall account for the tangible assets of the state material reserve in the order established by the Government of the Republic of Kazakhstan.

2. Inventory from the state reserve shall be taken off the books in case of research (tests) and shortages within the limits of natural loss norms.

Footnote. Article 99 as reworded by Law of the RK No. 332-VI of 25.05.2020 (shall go into effect ten calendar days after the date of its first official publication).

SECTION 8. STATUS AND SOCIAL PROTECTION OF SERVANTS AND OTHER EMPLOYEES OF BODIES OF CIVIL PROTECTION AND THEIR FAMILY MEMBERS

Chapter 18. STATUS AND SOCIAL PROTECTION OF SERVANTS AND OTHER EMPLOYEES OF BODIES OF CIVIL PROTECTION AND THEIR FAMILY MEMBERS

Article 100. Status of servants and other employees of civil protection bodies

1. Civil protection bodies are completed by servants from military men who serve in the authorized body, territorial subdivisions of its department and military units of civil defence,

employees carrying out functions for the prevention and liquidation of emergency situations of natural and technogenic character, provision of emergency medical and psychological assistance to the population, from employees of bodies of state fire fighting service, rescuers, and also other workers.

2. The list of military positions and corresponding military ranks in the management bodies and military units of civil defence is approved by the President of the Republic of Kazakhstan.

3. Persons performing military service in the authorized body, territorial subdivisions of its department and military units of civil defence, have the status and enjoy the rights and privileges established by the legislation of the Republic of Kazakhstan for military men of the Armed Forces of the Republic of Kazakhstan.

4. Persons carrying out functions for prevention and liquidation of emergency situations of natural and technogenic character, providing emergency medical and psychological assistance to the population, as well as persons serving in the bodies of State fire-fighting service, who have been given special ranks, have the status and enjoy the rights and benefits, established by the legislation of the Republic of Kazakhstan for law enforcement officers.

The list of positions of civil protection bodies, the occupation of which gives the right to assign special ranks and class ranks to officials who perform directly the main tasks and functions of civil protection bodies, is approved by the Government of the Republic of Kazakhstan.

5. Labour relations of employees carrying out functions for prevention and liquidation of emergency situations of natural and technogenic character, provision of emergency medical and psychological assistance to the population, employees of the bodies of the state fire-fighting service are regulated in accordance with the procedure established by the Labor Code of the Republic of Kazakhstan with the features provided by the Law of the Republic of Kazakhstan "On law enforcement service".

6. Labor relations of other employees of civil protection bodies are regulated by the Labor Code of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan on state service.

7. Servicemen who serve in the authorized body, territorial subdivisions of its department and military units of the civil defence, employees carrying out functions for the prevention and liquidation of emergency situations of natural and technogenic character, rendering emergency medical and psychological assistance to the population, employees of the bodies of state fire-fighting service have a uniform clothing and special uniforms of a fixed pattern with insignia in accordance with military and special titles.

8. Servants and other employees of civil protection bodies and the authorized body of enterprises subordinate to the department when carrying out activities on liquidation of emergency situations, exercises, combat and operational duties, classes in training centers, classes with military equipment, wear special clothes when performing special tasks.

Employees who carry out functions for prevention and liquidation of emergency situations of natural and technogenic character, provision of emergency medical and psychological assistance to the population, employees of State fire-fighting service during the period of emergency or martial law shall be entitled to carry, store and use firearms and special means. The procedure for the use of firearms and special means is determined by the Law of the Republic of Kazakhstan "On Law Enforcement Service".

9. Labor relations between civil servants and employees of civil protection bodies that are not state employees are regulated by the labor legislation of the Republic of Kazakhstan.

Footnote. Article 100 as amended by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 29.10.2015 № 374-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 101. Payment of labor, pension and other provision of servants and other employees of civil protection bodies

1. Payment of labor, pension and other provision of servants and other employees of civil protection bodies is carried out in accordance with the legislation of the Republic of Kazakhstan.

2. Rescuers of professional accident rescue services and groups are paid monthly a bonus in percentage to the official salary, depending on work experience in the following amounts upon the service length higher than:

- 1) three years - fifteen percent;
- 2) five years - twenty percent;
- 3) ten years - thirty percent;
- 4) fifteen years - forty percent;
- 5) twenty years - fifty percent.

The length of service of rescuers of professional emergency services and formations for the payment of percentage bonuses for length of service shall be calculated in the manner prescribed by the competent authority.

3. Military men who serve in the authorized body, department, as well as territorial subdivisions and military units of civil defence subordinate to the department, employees carrying out functions for prevention and liquidation of emergency situations of natural and technogenic character, provision of emergency medical and psychological assistance to the population, employees of fire fighting service, other employees of civil protection bodies and subordinate enterprises are provided with free uniforms and special outfit.

Footnote. Article 101 as amended by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 29.10.2015 № 374-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); No. 75-VII of 24.11.2021 (shall come into force ten calendar days after the date of its first official publication).

Article 102. Protection of life and health, medical care for servants and other employees of civil protection bodies, as well as for the members of their families

1. Employees and other employees of civil protection bodies have the right to medical care in accordance with the legislation of the Republic of Kazakhstan. In the absence at the place of service (work) or place of residence of employees of civil protection bodies of medical organizations with appropriate departments in them, specialists or special equipment for medical reasons, medical care is provided by health subjects:

1) within the guaranteed volume of free medical care in accordance with the Code of the Republic of Kazakhstan "On people's health and the health care system";

2) in the system of compulsory social health insurance in accordance with the Law of the Republic of Kazakhstan "On compulsory social health insurance".

Payment for the services of healthcare entities for the provision of medical care to employees of civil protection bodies is carried out by the social health insurance fund.

Reimbursement of the costs of the social health insurance fund for paying for the services of healthcare entities for the provision of medical care to employees of civil protection bodies within the guaranteed volume of free medical care and in the system of compulsory social health insurance is carried out at the expense of budgetary funds provided for by the authorized body in the field of healthcare.

Family members of employees of civil protection bodies living with them, as well as other employees of civil protection bodies, have the right to medical assistance in medical organizations in accordance with the legislation of the Republic of Kazakhstan.

Payment for the services of medical organizations for the provision of medical care to the persons specified in part four of this clause is carried out by the social health insurance fund:

1) within the guaranteed volume of free medical care in accordance with the Code of the Republic of Kazakhstan "On people's health and the health care system";

2) in the system of compulsory social health insurance in accordance with the Law of the Republic of Kazakhstan "On compulsory social health insurance".

Employees and other employees of civil protection bodies injured (wounds, injuries, contusions) in the line of duty are sent for sanatorium treatment at the expense of budget funds.

The rights and benefits of employees and other employees of civil protection bodies specified in this paragraph apply to pensioners of civil protection bodies dismissed from military service (work) due to age, health status or staff reduction, the total duration of service (work) of which is twenty or more years old.

Civil defense conscripts, cadets of educational organizations of the department, if medically indicated, have the right to free medical care in medical organizations in accordance with the legislation of the Republic of Kazakhstan.

Children of employees and other employees of civil protection bodies who died in the line of duty, until they reach the age of majority, retain the right to medical and sanatorium services in the manner determined by the Government of the Republic of Kazakhstan.

2. Citizens entering the service (work) in the civil protection bodies and enterprises subordinate to the department of the authorized body shall take a medical examination, check the level of physical preparation, testing of professional qualities, psychological testing, the results of which determine their suitability for service (work).

The period of temporary disability, continuous being of an employee of civil protection bodies under treatment should not exceed four months, unless the legislation of the Republic of Kazakhstan provides for longer periods of treatment for certain diseases. After the expiration of the established period of continuous presence in the treatment the employee is a subject to medical examination to decide the question on suitability for further service (work).

The time spent on treatment of employees of the civil protection bodies due to wounds, contusions or injuries they have received in the course of their official duties is not limited. For medical examination, the mentioned persons are sent after the end of treatment or at the determined outcome of the disease.

Footnote. Article 102 as amend by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 28.12.2018 No. 208-VI (shall be enforced from 01.01.2020).

Article 103. Social guarantees of rescuers and their family members

1. Compulsory social insurance of rescuers shall be carried out in accordance with the Laws of the Republic of Kazakhstan.

2. Rescuers may be insured at the expense of funds received on the basis of agreements from state bodies and organizations as well.

3. In case of death incident (death) of a rescuer upon fulfillment of official duties or his (her) death within a year due to injury received upon fulfillment of official duties, dependents shall be paid by a lump sum allowance in amount of no less than ten-fold annual amount of salary according to the last held position.

4. Upon establishment of disability to a rescuer in the result of maim, injury, wound, contusion, disease received upon fulfillment of official duties, he (she) shall be paid by a lump sum allowance in amounts of:

- 1) a person with a disability of the first or second group – five times the annual salary;
- 2) a person with a disability of the third group – twice the annual salary.

5. In case of receiving maim, injury, wound, contusion, disease by a rescuer with permanent disability, he (she) shall be paid by a lump sum allowance without establishment of disability in amount of not less than annual amount of salary.

6. Lump sum allowance determined by paragraphs 3, 4 and 5 of this Article shall not be paid, if it is proved that death incident (death), maims, injuries, wounds, contusions, diseases

of a rescuer occurred due to circumstances that are not linked with fulfillment of official duties in the manner established by the legislation of the Republic of Kazakhstan.

7. Allowance for burial of deceased or died rescuer of accident rescue services and groups shall be given in amount established for the relevant financial year by the law on republican budget.

8. Allowances shall be paid at the expense of funds of organizations maintained accident rescue services and groups in accordance with paragraphs 3, 4, 5 and 7 of this Article. Upon emergency situations of technogenic character, expenses of organizations maintained accident rescue services and groups shall be compensated in full measures at the expense of an inflictor of harm (damage).

9. Social security of family members of rescuers for disability, in case of loss of a breadwinner is carried out in accordance with the legislation of the Republic of Kazakhstan on social protection.

10. To rescuers of professional accident rescue services and groups servicing organizations with harmful and hazardous labour conditions, the guarantees of legal and social security and benefits established by the legislation of the Republic of Kazakhstan for employees of these organizations shall be applied. Amount of their salary shall be no less than amount of salary of the relevant categories of employees of hazardous industrial facilities serviced by them.

11. Legal and social guarantees provided by this Article shall be applied to rescuers of voluntary accident rescue groups, as well as citizens that are not rescuers, upon their engagement in performance of accident rescue operations.

Footnote. Article 103 as amended by the Law of the Republic of Kazakhstan dated 02.08.2015 No. 342-V (shall be enforced from 01.07.2018); dated 27.06.2022 No. 129-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 20.04.2023 No. 226-VII (shall be enforced from 01.07.2023).

SECTION 9. FINAL AND TRANSITIONAL PROVISIONS

Chapter 19. FINAL PROVISIONS

Article 104. Financing of measures of civil protection

1. Financing of measures of civil protection shall be carried out in the manner established by the legislation of the Republic of Kazakhstan.

2. Financing of measures of civil protection shall be carried out at the expense of:

- 1) budget funds;
- 2) funds of organizations;
- 3) voluntary contributions of citizens, funds and public associations;

4) other sources that are not inconsistent with the legislation of the Republic of Kazakhstan.

Article 105. Responsibility for violation of the legislation of the Republic of Kazakhstan on civil protection

Violation of the legislation of the Republic of Kazakhstan on civil protection shall entail responsibility established by the Laws of the Republic of Kazakhstan.

Article 106. Settlement of disputes in the field of civil protection

Disputes in the field of civil protection shall be settled in the order established by the laws of the Republic of Kazakhstan.

Footnote. Article 106 as worded by Law of the RK No. 351-VI of 29.06.2020 (shall be enacted on 01.07.2021).

Article 107. International cooperation in the scope of civil protection

Authorized body shall participate in the following directions of international cooperation in the scope of civil protection:

- 1) conduct of monitoring and forecasting of emergency situations on a permanent basis together with organizations of foreign countries, international organizations;
- 2) creation and ensuring of activity of international organizations on prevention of emergency situations and ensuring of civil protection;
- 3) rendering of humanitarian assistance to foreign countries;
- 4) education of Kazakhstani specialists in foreign countries;
- 5) holding of seminars, conferences, studies and training courses in the Republic of Kazakhstan and abroad;
- 7) joint carrying out of scientific researches on different aspects of emergency situations and civil protection.

Article 108. Activity of foreign persons, foreign and international organizations on ensuring of civil protection of population in the territory of the Republic of Kazakhstan

Activity of foreign persons, foreign and international organizations on prevention, liquidation of emergency situations and their consequences in the territory of the Republic of Kazakhstan shall be carried out, if it is not inconsistent with the legislation of the Republic of Kazakhstan or is regulated by international treaties.

Chapter 20. TRANSITIONAL PROVISIONS

Article 109. Procedure of entering of this Law into force

1. This Law enters into force upon expiry of ten calendar days after the date of its first official publication.

2. Shall be deemed to have lost force the following Laws of the Republic of Kazakhstan:

- 1) Law of the Republic of Kazakhstan dated 5 July 1996 “On emergency situations of natural and technogenic character” (The Bulletin of the Parliament of the Republic of Kazakhstan, 1996, No. 11-12, Article 263; 1998, No. 23, Article 416; 1999, No. 4, Article 101; 2000, No. 6, Article 145; 2003, No. 14, Article 112; 2004, No. 11-12, Article 67; No. 23, Article 142; 2006, No. 1, Article 5; No. 24, Article 148; 2007, No. 2, Article 18; No. 8,

Article 52; No. 20, Article 152; 2008, No. 6-7, Article 27; No. 21, Article 97; 2009, No. 2-3, Article 9; No. 18, Article 84; 2010, No. 5, Article 23; 2011, No. 1, Article 2; No. 5, Article 43 ; No. 11, Article 102; 2012, No. 15, Article 97; 2013, No. 9, Article 51; No. 14, Article 75; 2014, No. 1, Article 4);

2) Law of the Republic of Kazakhstan dated 22 November 1996 “On fire-fighting security” (The Bulletin of the Parliament of the Republic of Kazakhstan, 1996, No. 18, Article 368; 1998, No. 23, Article 416; 1999, No. 20, Article 728; No. 23, Article 931; 2000, No. 6, Article 142; 2002, No. 17, Article 155; 2003, No. 14, Article 112; No. 24, Article 177; 2004, No. 23, Article 142; 2006, No. 3, Article 22; No. 24, Article 148; 2007, No. 2, Article 18; No. 9, Article 67; No. 10, Article 69; No. 20, Article 152; 2008, No. 6-7, Article 27; 2009, No. 18, Article 84; 2010, No. 5, Article 23; No. 13, Article 67; 2011, No. 1, Article 2, 3; No. 11, Article 102; 2012, No. 4, Article 32; No. 8, Article 64; No. 15, Article 97; 2013, No. 9, Article 51; No. 14, Article 75; 2014, No. 1, Article 4);

3) Law of the Republic of Kazakhstan dated 27 March 1997 “On accident rescue services and status of rescuers” (The Bulletin of the Parliament of the Republic of Kazakhstan, 1997, No. 6, Article 69; 1998, No. 24, Article 436; 2000, No. 8, Article 187; 2004, No. 11-12; Article 67; No. 23, Article 142; 2006, No. 1, Article 5; 2007, No. 2, Article 18; No. 8, Article 52; No. 9, Article 67; No. 20, Article 152; 2008, No. 6-7, Article 27; No. 21, Article 97; 2011, No. 1, Article 7);

4) Law of the Republic of Kazakhstan dated 7 May 1997 “On Civil defence” (The Bulletin of the Republic of Kazakhstan, 1997, No. 9, Article 93; 1998, No. 23, Article 416; 1999, No. 4, Article 101; 2000, No. 6, Article 142; 2004, No. 23, Article 142; 2006, No. 1, Article 5; No. 16, Article 104; 2007, No. 10, Article 69; 2008, No. 6-7, Article 27; No. 21, Article 97; 2009, No. 18, Article 84; 2010, No. 5, Article 23; 2011, No. 1, Article 2, 7; No. 5, Article 43; No. 11, Article 102; 2012, No. 4, Article 32; No. 15, Article 97; 2013, No. 9, Article 51; No. 14, Article 75; 2014, No. 1, Article 4);

5) Law of the Republic of Kazakhstan dated 27 November 2000 “On state material reserve” (The Bulletin of the Parliament of the Republic of Kazakhstan, 2000, No. 20, Article 378; 2003, No. 15, Article 139; 2006, No. 16, Article 104; 2010, No. 3-4, Article 11; No. 17-18, Article 108; 2011, No. 5, Article 43; 2012, No. 13, Article 91; 2014, No. 1, Article 4);

6) Law of the Republic of Kazakhstan dated 3 April 2002 “On industrial safety on hazardous industrial facilities” (The Bulletin of the Parliament of the Republic of Kazakhstan, 2002, No. 7-8, Article 77; 2004, No. 23, Article 142; 2006, No. 3, Article 22; No. 24, Article 148; 2007, No. 20, Article 152; 2008, No. 6-7, Article 27; No. 21, Article 97; 2009, No. 18, Article 84; 2010, No. 5, Article 23; No. 9, Article 44; 2011, No. 1, Article 2, 7; No. 11, Article 102; No. 12, Article 111; 2012, No. 1, Article 5; No. 15, Article 97; 2013, No. 14, Article 75; 2014, No. 1, Article 4).

President of

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