

**The law of Republic Kazakhstan from July, 9, 2004 N 593-II  
About protection, reproduction and use of fauna**

The present(true) Law adjusts public attitudes(relations) in the field of protection, reproduction and uses of fauna and is directed on maintenance of conditions of preservation of fauna and his(its) biological variety, steady use of objects of fauna with a view of satisfaction of ecological, economic, aesthetic and other needs(requirements) of the person in view of interests present and the future generations.

**Chapter(Head) 1. General provisions**

**Clause(Article) 1.** The basic concepts used in the present(true) Law

In the present(true) Law the following basic concepts are used:

1) **бассейновый а principle of the government fish resources and other water animals (further - бассейновый а principle)** - a uniform control system of fish resources and other water animals in рыбохозяйственных reservoirs (sites) in view of features of reproduction and migration of fishes and other water animals irrespective of administrative-territorial division;

2) **A biological substantiation** - scientifically proved conclusion on using fauna or on the economic and other activity, capable to affect objects of fauna and environment(Wednesday) of their dwelling;

3) **A biological variety of fauna** - a variety of objects of fauna within the framework of one kind, between kinds and in ecological systems;

4) **биолого-economic inspection** - a biological and economic estimation of territory and the water area, spent with a view of definition of allowable withdrawal of objects of fauna and rational conducting the hunting and fish facilities(economy);

5) **Interfarm охотустройство** - a complex of actions on inventory, бонитировке, to studying of natural and economic conditions hunting угодий, to the account of animals, designing of biotechnical and operational actions on the basis of which the plan of conducting the hunting facilities(economy) is developed;

6) **Interfarm рыбоустройство** - a complex of actions on inventory, studying of natural and economic conditions рыбохозяйственных reservoirs (sites), to the account of fish resources, designing of рыбоводно-meliorative and operational actions on the basis of which the plan of conducting a fish facilities(economy) is developed;

7) **The huntsman** - the worker егерской the services, carrying out protection of objects of fauna on fixed hunting угодьях and рыбохозяйственных reservoirs (sites);

8) **егерская service** - structural division охотохозяйственной and рыбохозяйственной the organizations, carrying out functions of protection of objects of fauna on fixed hunting угодьях and рыбохозяйственных reservoirs (sites);

9) **Animals** - wild animals (mammal, the birds kowtowing, amphibious, fishes, molluscs, insects and others), taking place in a condition of natural freedom on land, in water, an atmosphere and ground;

10) **Fauna** - set animal, it is constant or temporarily living on territory of Republic Kazakhstan, and also concerning to natural resources of a continental shelf and an exclusive economic zone of Republic Kazakhstan;

11) **A zoological collection** - assembly of scarecrows, eggs, preparations and parts of objects of fauna, objects of fauna, including wild animal zoos, zooes, circuses, zoological nurseries, aquariums, the oceanariums, representing scientific, cultural - educational, teaching and educational and aesthetic value;

12) **Withdrawal of objects of fauna** - extraction (getting, shooting, catching) from an inhabitancy of the animals living in a condition of natural freedom, on the basis of the sanction to using fauna, except for amateur (sports) fishery in reserve fund рыбохозяйственных reservoirs (sites) up to five kg on one fisher for departure;

13) **Artificial animal husbandry - the maintenance(contents) and cultivation of objects of fauna in bondage and (or) полувольных conditions;**

14) **интродукция** - deliberate or casual carry of individuals of kinds of animals for limits of environment(Wednesday) of their dwelling;

15) **A category of the hunting facilities(economy)** - unit of classification division of the hunting facilities(economy) on the basis of efficiency hunting угодий, character security and воспроизводственных the actions, appropriated(given) to the hunting facilities(economy) on the basis of intereconomic охотустройства;

16) **Intereconomic охотустройство** - delimitation, calculation of the area, a condition of fauna and the environments(Wednesdays) of his(its) dwelling made before fastening hunting угодий;

17) **Object of fauna** - an individual or a population of animals;

18) **Protection of fauna** - the activity directed on preservation of fauna, environment (Wednesday) of his (its) dwelling and a biological variety, steady use and reproduction of objects of fauna, and also a complex of actions on preventive maintenance and struggle against offences in the field of protection, reproduction and use of fauna;

19) **Protection of an inhabitancy of fauna** - the activity directed on preservation or restoration of conditions of steady existence and reproduction of objects of fauna in a condition of natural freedom;

20) **The hunter** - the physical person who has received the right on hunting in the order, established by the legislation of Republic Kazakhstan;

21) **охотхозяйственная the organization** - the managing subject conducting (leading) the hunting facilities (economy) on fixed hunting угодьях in the order, established by the legislation of Republic Kazakhstan;

22) **The hunting minimum (охотминимум)** - the special program under the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna;

23) **The hunting facilities (economy)** - a kind of economic activities on steady use of objects of fauna in hunting угодьях, to preservation of an inhabitancy of fauna, their protection and reproduction;

24) **Using fauna** - using objects of fauna, their useful properties with withdrawal or without withdrawal from an inhabitancy;

25) **Users fauna** - physical and legal persons to whom according to the present Law the right of use of fauna is given;

26) **The permit** - the document, given out to the physical person for visiting fixed hunting угодий or рыбохозяйственных reservoirs (sites) with the purpose of getting objects of fauna;

27) **The sanction to using fauna** - the document of the established form giving the right to physical and legal persons on special using by fauna;

28) **Reserve fund hunting угодий and рыбохозяйственных reservoirs (sites)** - hunting угодья and рыбохозяйственные the reservoirs (sites) which have been not fixed for users by fauna;

29) **The fisher** - the physical person who has received the right on fishery in the order, established by the legislation of Republic Kazakhstan;

30) **рыбохозяйственная the organization** - the managing subject conducting (leading) a fish facilities (economy) on fixed рыбохозяйственных reservoirs (sites) in the order, established by the legislation of Republic Kazakhstan;

31) **рыбохозяйственное the device** - delimitation, the areas and conditions ихтиофауны, made before fastening рыбохозяйственных reservoirs (sites);

32) **A fish facilities (economy)** - a kind of economic activities on steady use of fish resources and other water animals in рыбохозяйственных reservoirs (sites), to preservation of an inhabitancy, their protection and reproduction;

33) **сервитут** - the right of the limited target using the another's ground area and water object for needs hunting and (or) a fish facilities (economy);

34) **An inhabitancy of fauna** - the natural environment in which objects of fauna live in a condition of natural freedom;

35) **The certificate of the hunter** - the document of the established form certifying the right of the physical person on hunting;

36) **The authorized body** - the state body which is carrying out functions of management and the control over protection, reproduction and use of fauna;

37) **Steady use of objects of fauna** - use of objects of fauna by the ways not resulting (bringing) in an exhaustion a specific variety of fauna and keeping his (its) ability to reproduction and satisfaction of needs (requirements) present (this) and the future generations.

**Clause (Article) 2.** The legislation of Republic Kazakhstan in the field of protection, reproduction and uses of fauna

1. The legislation of Republic Kazakhstan in the field of protection, reproduction and uses of fauna is based on **the Constitution** of Republic Kazakhstan and will consist of the present (true) Law and other normative legal certificates (acts) of Republic Kazakhstan.

2. If the international contract ratified by Republic Kazakhstan, establishes other rules, than what contain in the present (true) Law rules of the international contract are applied.

**Clause (Article) 3.** Categories of fauna

1. The fauna on a special-purpose designation is subdivided into the following categories:

1) Kinds of animals rare and taking place under threat of disappearance;

- 2) The kinds of animals being objects of hunting;
  - 3) The kinds of animals being objects of fishery;
  - 4) The kinds of animals used in other economic purposes (except for hunting and fishery), determined by the authorized body;
  - 5) The kinds of animals which are not used in the economic purposes, but having ecological, cultural and other value;
  - 6) Kinds of animals, which number is subject to regulation with a view of public health care, protection from diseases of agricultural and other pets, prevention of damage to an environment, preventions(warnings) of danger of drawing of essential damage of agricultural activity.
2. Reference of kinds of animals to categories and their translation from one category in another are made with a view of preservation of a specific variety of fauna, their protection, reproduction and steady use.

**Clause(Article) 4.** The property on fauna and objects of fauna

1. The fauna is in a state ownership.
2. The objects of fauna withdrawn from an inhabitancy in the order, established by the present Law, and also dissolved and contained in bondage and (or) *полувольных* conditions, are the property of physical and legal persons which have extracted, plant and contain them.

**Clause(Article) 5.** Subjects of attitudes(relations) in the field of protection, reproduction and uses of fauna

Subjects of attitudes(relations) in the field of protection, reproduction and uses of fauna are physical and legal persons, and also the state bodies.

**Chapter(Head) 2. The government in the field of protection,  
Reproduction and use of fauna**

**Clause(Article) 6.** Main principles of the government in the field of protection, reproduction and uses of fauna

Main principles of the government in the field of protection, reproduction and uses of fauna are:

- 1) Maintenance of protection, reproduction and steady use of fauna;
- 2) Using fauna the ways which are not admitting cruel treatment with animals, according to principles of humanity;
- 3) Inadmissibility of overlapping of activity on realization of the state control over use and protection of fauna with activity on use of objects of fauna;
- 4) Branch of the right of use fauna from the right of use the ground, waters, flora and other natural resources;
- 5) *платность* special using fauna;
- 6) Inevitability of the responsibility for infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and uses of fauna;
- 7) Participation of citizens and public associations in the decision of problems(tasks) in the field of protection, reproduction and steady use of objects of fauna.

**Clause(Article) 7.** Features of the government in the field of protection, reproduction and uses of fish resources and other water animals

The state account, cadastre, monitoring and the control over use of fish resources and other water animals, and also their studying, protection and reproduction make uniform system of the government and are carried out in *рыбохозяйственных* reservoirs (sites) on *бассейновому* to a principle.

**Clause(Article) 8.** The competence of the Government of Republic Kazakhstan in the field of protection, reproduction and uses of fauna

The government of Republic Kazakhstan:

- 1) Develops the basic directions and provides realization of a state policy in the field of protection, reproduction and uses of fauna;
- 2) Carries out rights of possession, using and the order fauna;
- 3) Carries out a management(manual) of activity of the authorized body and local agencies on questions of protection, reproduction and use of fauna;
- 4) Develops the state programs on protection, reproduction and use of fauna;
- 5) Defines(Determines) the authorized body;

6) Defines(Determines) administrative body for the organization of performance of obligations under **the Convention on international trade in kinds of wild fauna and the flora, taking place under threat of disappearance (further - administrative body)**;

7) Asserts(Approves) limits on withdrawal of objects of fauna;

8) Asserts(Approves) the list рыбохозяйственных reservoirs (sites) of the international and republican value;

9) Asserts(Approves) **rules of hunting, fishery**;

10) Asserts(Approves) rules of conducting the hunting facilities(economy) and a rule of conducting a fish facilities(economy);

11) Asserts(Approves) **the sizes of compensation of the harm** caused by infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna;

12) Asserts(Approves) **regulations about** to the Red book of Republic Kazakhstan;

13) Asserts(Approves) **the list** of kinds of animals rare and taking place under threat of disappearance;

14) Establishes **a payment** for withdrawal of kinds of animals rare and taking place under threat of disappearance with the purpose of use in research and other purposes;

15) Asserts(Approves) rules of delivery of sanctions to using fauna;

16) Asserts(Approves) rules of an establishment of restrictions and interdictions on using objects of fauna;

17) Defines(Determines) categories of kinds of animals rare and taking place under threat of disappearance and translates them in other categories;

18) Defines(Determines) **the order** of conducting the state account, a cadastre and monitoring of fauna;

19) Asserts(Approves) rules of creation and the state account of zoological collections;

20) Asserts(Approves) rules of carrying out of competition on fastening hunting угодий and рыбохозяйственных reservoirs (sites) and the qualifying requirements showed to participants of competition;

21) Asserts(Approves) **the list** of valuable kinds of the animals being objects of hunting and fishery;

22) Asserts(Approves) specifications in the field of protection, reproduction and uses of fauna;

23) Asserts(Approves) the list of officials of the representative and the territorial bodies which are carrying out the state control over protection, reproduction and use of fauna, and also workers of official bodies and the organizations which are carrying out direct protection of fauna, having the right on carrying of uniform (without погон);

24) Carries out the international cooperation in the field of protection, reproduction and uses of fauna.

**Clause(Article) 9.** The competence of the authorized body and his(its) territorial bodies

1. **The authorized body**:

1) Realizes a state policy in the field of protection, reproduction and uses of fauna;

2) Develops branch (sectoral) programs on protection, reproduction and use of fauna;

3) Carries out the state control over protection, reproduction and use of fauna;

4) Distributes(Allocates) quotas on withdrawal of objects of fauna on the basis of the authorized limits;

5) Defines(Determines) **the order** of the certification of the hunter;

6) Defines(Determines) categories of the hunting facilities(economy);

7) Gives out sanctions to using fauna;

8) Develops specifications in the field of protection, reproduction and uses of fauna;

9) Conducts the state account, a cadastre and monitoring of fauna;

10) Organizes carrying out of scientific researches and design and exploration work in the field of protection, reproduction and uses of fauna;

11) Conducts and provides the edition of the Red book of Republic Kazakhstan;

12) Defines(Determines) categories of kinds of animals and translates them from one category in another, except for reference to a category rare and taking place under threat of disappearance;

13) Gives out import licences and export of objects of fauna, their parts and derivatives, including kinds of the animals attributed(related) to a category rare and taking place under threat of disappearance, in the order established by the legislation of Republic Kazakhstan;

14) Defines(Determines) the order of preparation of a biological substantiation on using fauna;

15) Develops and asserts(approves) techniques of definition of rates of payments for using fauna and the sizes of compensation of the harm caused by infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna;

16) Considers(Examines) affairs about administrative offences in the field of protection, reproduction and use of fauna;

17) Enters restrictions and interdictions on using objects of fauna;

18) Organizes activity on artificial cultivation of kinds of animals rare and taking place under threat of disappearance;

19) Organizes and provides protection, reproduction and the state account of fauna in reserve fund hunting угодий and рыбохозяйственных reservoirs (sites);

20) Asserts(Approves) forms of certificates(acts) of the state inspector on protection of fauna, the order of their drawing up and delivery;

21) Asserts(Approves) typical regulations about егерской to service охотохозяйственных and рыбохозяйственных the organizations;

22) Asserts(Approves) the typical form of the permit;

23) Asserts(Approves) rules of application of special means the state inspectors on protection of fauna;

24) Asserts(Approves) samples of uniform (without погон), the order of carrying and norm of maintenance with her(it) of officials of the representative and the territorial bodies which are carrying out the state control over protection, reproduction and use of fauna, and also workers of official bodies and the organizations which are carrying out direct protection of fauna;

25) Carries out the international cooperation in the field of protection, reproduction and uses of fauna.

2. Territorial bodies carry out the activity within the limits of the competence established by authorized body.

**Clause(Article) 10.** The competence of bodies of the local government in the field of protection, reproduction and uses of fauna

1. Local representative bodies of Republic Kazakhstan:

1) Assert(Approve) regional programs on protection, reproduction and use of fauna;

2) Consider(Examine) reports of heads of local agencies on questions of protection, reproduction and use of fauna.

2. Local agencies of Republic Kazakhstan:

1) Develop and provide realization of regional programs on protection, reproduction and use of fauna;

2) Carry out coordination and the control over activity of subordinated bodies and the organizations in the field of protection, reproduction and uses of fauna;

3) Assert(Approve) the list рыбохозяйственных local reservoirs;

4) Of the decision on fastening hunting угодий and рыбохозяйственных reservoirs (sites) for users fauna in the order established by the legislation of Republic Kazakhstan make.

**Clause(Article) 11.** The state account, a cadastre and monitoring of fauna

For maintenance of protection, reproduction and use of fauna the state account, a cadastre and monitoring of the fauna, containing set of data on a condition and geographical distribution of kinds of fauna, about their number, results of regular supervision, volumes of their economic use and other necessary data are conducted.

### **Chapter(Head) 3. Protection of fauna**

**Clause(Article) 12.** The basic requirements on protection of fauna

1. The activity influencing a condition of fauna, an inhabitancy, conditions of duplication and a way of migration of animals, should be carried out with observance of the requirements providing safety and reproduction of fauna, environment(Wednesday) of his(its) dwelling and indemnification of the put harm.

2. At realization of activity which influences or can influence a condition of fauna and an inhabitancy, observance of the following basic requirements should be provided:

1) Preservation of a biological variety and integrity of communities of fauna in a condition of natural freedom;

2) Preservation of an inhabitancy, conditions of duplication, ways of migration and places of concentration of objects of fauna;

3) Scientifically proved, rational use and reproduction of objects of fauna;

4) Regulation of number of objects of fauna with a view of preservation of biological balance in the nature;

5) Reproduction of fauna, including artificial animal husbandry, including rare and taking place under threat of disappearance, with their subsequent release in an inhabitancy.

3. By development of the state, branch (sectoral) and regional programs on protection, reproduction and use of fauna, normative legal certificates(acts) the basic requirements specified in item(point) 2 of present(true) clause(article) should be taken into account(be discounted) without fail.

**Clause(Article) 13. Protection of fauna**

Protection of fauna is carried out by way:

- 1) Establishments and observance of rules and norms on protection, reproduction and use of objects of fauna;
- 2) Establishments of restrictions and interdictions on using fauna;
- 3) Protection of kinds of animals rare and taking place under threat of disappearance;
- 4) Prevention of infringements of the established instructions for use by fauna;
- 5) The organizations of protection of an inhabitancy, conditions of duplication, ways of migration and places of concentration of animals;
- 6) Fastenings territories, water areas to users fauna with putting on on them of duties on protection of objects of fauna;
- 7) Creations особоохраняемых natural territories;
- 8) Artificial animal husbandry;
- 9) Rendering assistance by an animal in case of diseases, threat of destruction at acts of nature and owing to other reasons;
- 10) The organizations of scientific researches in the field of protection, reproduction and uses of fauna;
- 11) Propagation of ideas of protection and steady use of objects of fauna;
- 12) Stimulations of activity of physical and legal persons on protection of fauna;
- 13) Education of citizens in spirit of the humane and careful attitude(relation) to fauna.

**Clause(Article) 14. An establishment of restrictions and interdictions on using fauna with a view of his(its) preservation and reproduction**

1. With a view of preservation and reproduction of objects of fauna can be established:
  - 1) Restrictions of terms of using by fauna;
  - 2) Interdictions of methods, ways and kinds of instruments of getting;
  - 3) Changes of norms of withdrawal;
  - 4) Restrictions of quantity(amount) of users by fauna.
2. The basis for an establishment of restrictions and interdictions are:
  - 1) Infringement половозрастной structures of a population of animals;
  - 2) Reduction of number of animals;
  - 3) Deterioration of an inhabitancy;
  - 4) Necessity of creation of zones of rest for places of a mass congestion of animals during migration and duplication.
3. With a view of preservation of objects of fauna are forbidden:
  - 1) Destruction of vegetation and other actions worsening conditions of an inhabitancy of animals;
  - 2) распашка the grounds with settlements of the animals, living colonies, is closer than twenty meters from the beginning of an arrangement of their holes on perimeter or without their preliminary resettlement in other place as agreed with the authorized body;
  - 3) Destruction and damage of dwellings and jacks of animals, gathering of eggs;
  - 4) Driving on boats, motor boats and other floating means with the included motors in the designated places of mass nesting a waterfowl and нерестилищах fishes during their duplication;
  - 5) Flight of planes, helicopters and other flying devices above territory of mass dwelling wild копытных animal and colonial birds is lower than one kilometer without the coordination with the authorized body;
  - 6) Destruction of an inhabitancy of animals, damage of crops of fodder plants, protective landings(plantings), солонцов, feeding troughs for animals, index signs, the constructions intended for conducting of the hunting and fish facilities(economy);
  - 7) Withdrawal of kinds of animals rare and taking place under threat of disappearance without the decision of the Government of Republic Kazakhstan;
  - 8) Extraction of objects of fauna over the established limit and outside of the terms specified in sanctions to using by fauna;
  - 9) Extraction of objects of fauna with application not stipulated by rules of hunting and fishery of kinds of instruments, methods and ways of getting of animals;
  - 10) Extraction of objects of fauna with application of explosives, ядохимикатов (except for application ядохимикатов at destruction of field rodents, and also in cases эпизоотии furiousness and other illnesses of animals as agreed with the authorized body);
  - 11) Manufacture without the permission of the authorized body интродукции and hybridizations of animals, and also withdrawal of again acclimatized animals.

**Clause(Article) 15.** Protection of kinds of animals rare and taking place under threat of disappearance

1. Kinds of animals rare and taking place under threat of disappearance will be worn out in the Red book of Republic Kazakhstan in the order established [by the legislation](#) of Republic Kazakhstan.

2. Protection of kinds of the animals brought in the Red book of Republic Kazakhstan, is carried out by the state. Physical and legal persons are obliged to take measures on protection of kinds of the animals brought in the Red book of Republic Kazakhstan.

3. Withdrawal of kinds of animals rare and taking place under threat of disappearance is supposed in unusual cases under the decision of the Government of Republic Kazakhstan for cultivation in specially created conditions and the subsequent release in an inhabitancy in the scientific and other purposes determined by the Government of Republic Kazakhstan.

4. Actions which can bring to ruin, to reduction of number or infringement of an inhabitancy of kinds of animals rare and taking place under threat of disappearance are not supposed.

5. The maintenance(contents), transportation, sale, exhibiting to sale and purchase of kinds of animals rare and taking place under threat of disappearance, and also their import and export without the permission of administrative body are forbidden.

**Clause(Article) 16.** Animal protection at application of pesticides (ядохимикатов), mineral fertilizers and other preparations

Application, storage and transportation of pesticides (ядохимикатов), mineral fertilizers and other preparations should provide safety of fauna and environment(Wednesday) of his(its) dwelling.

With a view of protection of fauna maximum permissible norms of application of pesticides (ядохимикатов), mineral fertilizers and other preparations are established.

**Clause(Article) 17.** Actions on preservation of an inhabitancy, conditions of duplication, ways of migration and places of concentration of animals at designing and realization of economic and other activity

1. At accommodation, designing and construction of settlements, the enterprises, constructions and other objects, realization of productions and operation of vehicles, perfection existing and introduction of new technological processes, introduction in economic circulation of the unused, coastal, boggy territories borrowed(occupied) with bushes, land reclamation, using wood resources and water objects, carrying out of prospecting works, extraction of minerals, definition of places выпаса and run of agricultural animals, development of tourist routes and the organizations of places of mass rest of the population should be provided and carried out actions on preservation of an inhabitancy and conditions of duplication of objects of fauna, ways of migration and places of concentration of animals, and also to be provided inviolability of the sites representing special value as an inhabitancy of wild animals.

2. At accommodation, designing and construction of railway, highway, pipeline and other transport highways, transmission lines and communications(connections), channels, dams and other water-economic constructions should be developed and carried out the actions providing preservation of an inhabitancy, conditions of duplication, ways of migration and places of concentration of animals.

**Clause(Article) 18.** Animal protection on особоохраняемых natural territories

Protection of objects of fauna on особоохраняемых natural territories is carried out according to [the legislation](#) of Republic Kazakhstan about особоохраняемых natural territories.

**Clause(Article) 19.** Artificial cultivation of objects of fauna

1. Artificial cultivation of objects of fauna is carried out with a view of:

1) Preservations and increases in number of kinds of animals rare and taking place under threat of disappearance;

2) Scientific researches;

3) интродукции animals;

4) Uses of objects of fauna in enterprise activity.

2. Artificial cultivation of objects of fauna with the purpose of preservation and increases in number of kinds of animals rare and taking place under threat of disappearance with the subsequent release in an inhabitancy is carried out due to means of the state budget and other sources which have been not forbidden by the legislation of Republic Kazakhstan.

3. The kinds of animals included in [appendices I and II](#) Conventions on international trade by kinds of wild fauna and flora, taking place under threat of disappearance, can be a subject of trade only in case of their cultivation in bondage and registration in administrative body.

4. Artificial cultivation of objects of fauna with a view of enterprise activity is carried out due to means of physical and legal persons and other sources which have been not forbidden by the legislation of Republic Kazakhstan.

**Clause(Article) 20.** Интродукция and hybridization of wild animals, their import in Republic Kazakhstan and export from Republic Kazakhstan

1. Интродукция and hybridization of kinds of animals, except for rare and taking place under threat of disappearance, their import in Republic Kazakhstan and export from Republic Kazakhstan are supposed only under sanctions of the authorized body according to a biological substantiation and the positive conclusion of the state ecological examination.

2. Интродукция and hybridization of kinds of animals rare and taking place under threat of disappearance are supposed under the decision of the Government of Republic Kazakhstan according to a biological substantiation and the positive conclusion of the state ecological examination and on the basis of the recommendation of the authorized body.

**Clause(Article) 21.** Rendering assistance by an animal in case of mass diseases, threats of destruction at acts of nature and owing to other reasons

1. Rendering assistance by an animal in case of mass diseases, threats of their destruction at acts of nature and owing to other reasons in fixed hunting угодьях and рыбохозяйственных reservoirs (sites) is carried out охотохозяйственными and рыбохозяйственными by the organizations, and in others угодьях and reservoirs - local agencies of Republic Kazakhstan. Depending on the importance of territory and incident the help in the specified cases can be rendered by the Government of Republic Kazakhstan and the international organizations.

2. Getting animal acts of nature in areas, and also the animals who are taking place under threat of destruction is not supposed.

**Clause(Article) 22.** Scientific researches in the field of protection, reproduction and uses of fauna

1. Scientific researches in the field of protection, reproduction and uses of fauna are carried out with the purpose:

- 1) An annual estimation of a condition of fauna;
- 2) Regular studying a condition of kinds of animals rare and taking place under threat of disappearance;
- 3) Constant studying эпизоотической situations;
- 4) Participations in the international research programs;
- 5) Substantiations of specifications in the field of protection, reproduction and uses of fauna;
- 6) Substantiations of measures on preservation of a biological variety and programs on protection, reproduction and use of fauna;
- 7) Development of legal and economic mechanisms of protection, reproduction and use of objects of fauna.

2. Scientific researches in the field of protection, reproduction and uses of fauna are carried out due to means of the state budget and other sources which have been not forbidden by the legislation of Republic Kazakhstan.

3. The annual estimation of a condition of fauna in fixed hunting угодьях and рыбохозяйственных reservoirs (sites) is carried out due to means of physical and legal persons behind which they are fixed.

#### **Chapter(Head) 4. Using fauna**

**Clause(Article) 23.** Using fauna

1. Using fauna is carried out by way of the general(common) and special using.

2. Objects of fauna are given in using according to requirements of the legislation of Republic Kazakhstan.

3. Using objects of fauna concerns to special using fauna and products of their ability to live with withdrawal from an inhabitancy.

4. Using objects of fauna concerns to the general(common) using fauna, and also their useful properties without withdrawal from an inhabitancy.

5. Using fauna in territory of the state wood fund and особоохраняемых natural territories is carried out in view of requirements of the wood [legislation](#) of Republic Kazakhstan and [the legislation](#) of Republic Kazakhstan

about особоохраняемых natural territories.

6. Use of objects of fauna is forbidden as the biological weapon.

**Clause(Article) 24. Kinds of using fauna**

In territory of Republic Kazakhstan the following kinds of using are supposed by fauna:

- 1) Hunting;
- 2) Fishery, including getting water беспозвоночных animal and sea mammal;
- 3) Use in the economic purposes of the animals who are not concerning to objects of hunting and fishery;
- 4) Use of animals in the scientific, cultural - educational, educational and aesthetic purposes;
- 5) Use of useful properties and products of ability to live of animals.

**Clause(Article) 25. Terms of using fauna**

1. On special using fauna terms are established:

1) At conducting hunting and (or) a fish facilities(economy) - from ten till forty nine years depending on the period of fastening hunting; угодий and рыбохозяйственных the reservoirs (sites), determined by the competitive commission on the basis of биолого-economic inspection, qualifying requirements to participants of competition on fastening hunting угодий and рыбохозяйственных reservoirs (sites), plans for development охотохозяйственных and рыбохозяйственных the organizations;

2) On other kinds - no more than one year.

2. On the general(common) using fauna terms of using are not established.

**Clause(Article) 26. Granting of fauna in using**

1. The fauna for special using is given on the basis of sanctions to using the fauna, given out in the order established by the legislation of Republic Kazakhstan.

2. The general(common) using fauna is carried out without any sanctions.

**Clause(Article) 27. Rights and duties of users fauna**

1. Users fauna at special using have the right:

- 1) To carry out only those kinds of using fauna which are resolved(allowed) to them;
- 2) To use objects of fauna according to conditions of their granting;
- 3) Properties on the extracted objects of fauna and production received at it;
- 4) To give out permits;
- 5) To conclude contracts with physical and legal persons on using objects of fauna.

2. Users at special using are obliged by fauna:

1) To observe requirements of the legislation of Republic Kazakhstan in the field of protection, reproduction and uses of fauna;

2) In due time to bring a payment for using fauna in the order established by the tax laws of Republic Kazakhstan;

3) To carry out(spend) interfarm охотустройство;

4) To carry out(spend) interfarm рыбоустройство;

5) To not suppose deterioration of an inhabitancy of animals;

6) To use fauna in the ways, safe for the population and an environment, not admitting infringement of integrity of natural communities and cruel treatment with animals;

7) To carry out(spend) the account of number of objects of fauna and to represent the reporting in the order established by the legislation of Republic Kazakhstan;

8) To provide protection and reproduction of objects of fauna, including rare and taking place under threat of disappearance;

9) To carry out(spend) the necessary actions providing reproduction of objects of fauna according to results of биолого-economic inspections.

3. Users fauna at the general(common) using have the right to use objects of fauna for satisfaction of the cultural and aesthetic needs(requirements).

4. Users at the general(common) using are obliged by fauna:

1) To observe requirements of the legislation of Republic Kazakhstan in the field of protection, reproduction and uses of fauna;

2) To not suppose deterioration of an inhabitancy of animals;

3) To carry out other requirements on protection, reproduction and use of the fauna, the Republics of Kazakhstan stipulated by acts.

5. Illegal intervention in activity of users of fauna is forbidden on the part of the state bodies, officials and the organizations.

**Clause(Article) 28.** A payment for using fauna

1. The general(common) using fauna is carried out free-of-charge.
2. Special using fauna is carried out on a paid basis according to [the tax laws](#) of Republic Kazakhstan.

**Clause(Article) 29.** Limits and quotas on using fauna

1. A limit of withdrawal of animals - maximum permissible volume of withdrawal of animals at which their natural reproduction and number are kept.

The limit of withdrawal of animals is defined(determined) according to the biological substantiation prepared on the basis of materials of the account of number for the last year, monitoring of objects of fauna and environment(Wednesday) of their dwelling, scientific researches, and affirms the Government of Republic Kazakhstan at presence of the positive conclusion of the state ecological examination.

The limit of withdrawal of the animals migrating on territory of the several states or living in reservoirs of interstate value, is defined(determined) on the basis of the international contracts, and at their absence - in the order established by the legislation of Republic Kazakhstan.

2. A quota of withdrawal of animals - a part of a limit of withdrawal of the animals, established(installed) for охотохозяйственных and рыбохозяйственных the organizations for the certain term.

For performance of the state order at scientific researches in the field of protection, reproduction and use of fauna by the authorized body the separate quota is established.

**Clause(Article) 30.** The bases of the termination(discontinuance) of the right of use fauna

The right of use of fauna stops in cases:

- 1) Voluntary refusal of using fauna;
- 2) Expiry of the term of using by fauna;
- 3) The terminations(discontinuances) of activity of the user by fauna;
- 4) Regular infringement of requirements of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna, and also treaty provisions on conducting the hunting or fish facilities(economy);
- 5) Withdrawals of the ground areas on which fastening hunting угодий or рыбохозяйственных reservoirs (sites) is made, for the state needs in the order established [by the legislation](#) of Republic Kazakhstan;
- 6) Deprivations of sanctions to special using fauna;
- 7) Occurrence of other bases stipulated by acts of Republic Kazakhstan.

**Clause(Article) 31.** Specifications in the field of protection, reproduction and uses of fauna

1. Specifications in the field of protection, reproduction and uses of fauna define(determine) maximum permissible quantitative and qualitative value of the parameters necessary for maintenance of safety of fauna, an inhabitancy and his(its) steady use.

2. Specifications in the field of protection, reproduction and uses of fauna are established on the basis of scientific researches and are obligatory at planning and conducting economic and other activity, carrying out of actions in the field of protection, reproduction and use of fauna.

## Chapter(Head) 5. Hunting

**Clause(Article) 32.** Concept and kinds of hunting

1. Hunting - a kind of special using fauna at which withdrawal of kinds of the animals being object of hunting is carried out, from an inhabitancy.

Search, tracing and prosecution with the purpose of getting, attempt of getting of objects of fauna, a presence(finding) in hunting угодьях persons with the uncovered hunting weapon and other instruments of hunting or extracted production of hunting, with the hunting dogs lowered with поводка, and ловчими birds are equated to hunting.

2. Hunting is subdivided into the following kinds:

- 1) Trade hunting;

- 2) Amateur (sports) hunting.
3. Trade hunting - getting of kinds of the animals being object of hunting, with a view of enterprise activity.
4. Amateur (sports) hunting - getting of kinds of the animals being object of hunting, with a view of satisfaction of sports, aesthetic needs(requirements) and for personal consumption of extracted production.
5. Hunting is made in fixed hunting угодьях if other is not established by the authorized body.

**Clause(Article) 33.** The right on hunting

1. On hunting physical persons have the right under condition of:
  - 1) Achievements of eighteen-year age if hunting is conducted with application of fire-arms;
  - 2) Achievements of fourteen-year age if hunting is conducted with application of others resolved(allowed) by rules of hunting of kinds of instruments of getting, dogs and ловчих birds;
  - 3) Presence of the certificate of the hunter with a mark about passing an examination on охотминимуму and payments of a State Tax for delivery of the sanction to the right of the hunting established by the tax laws of Republic Kazakhstan;
  - 4) Receptions of the sanction to using fauna.
2. The right on hunting for foreigners in territory of Republic Kazakhstan arises on the basis of the contract on the organization of hunting with охотохозяйственной the organization and the document certifying their right on hunting, the residing given in the country, and reception of the sanction to using fauna.

## **Chapter(Head) 6. Fishery**

**Clause(Article) 34.** Concept and kinds of fishery

1. Fishery - лов fishes and getting of other water animals being object of fishery.
2. Fishery is subdivided into the following kinds:
  - 1) Trade fishery;
  - 2) Amateur (sports) fishery.
3. Trade fishery - лов fishes and getting of other water animals being object of fishery, with a view of enterprise activity.
 

Trade fishery is carried out only in рыбохозяйственных the reservoirs (sites) fixed for рыбохозяйственными by the organizations.
4. Amateur (sports) fishery - лов fishes and getting of other water animals with a view of satisfaction of sports, aesthetic needs(requirements) and for personal consumption of extracted production.

**Clause(Article) 35.** The right on fishery

1. On trade fishery physical and legal persons have the right at presence:
  - 1) Sanctions to using fauna;
  - 2) Contracts with the authorized body on fishery.
2. On amateur (sports) fishery physical persons have the right.

**Clause(Article) 36.** Features of regulation рыбохозяйственной activity in it is artificial the created reservoirs

The physical and legal persons who have brought up fishes and other water animals in artificial reservoirs created by them, are proprietors of these fishes and water animals and dispose of them according to the legislation of Republic Kazakhstan.

## **Chapter(Head) 7. Conducting the hunting and fish facilities(economy)**

**Clause(Article) 37.** Granting of the right of conducting the hunting and fish facilities(economy)

1. The right of conducting the hunting and fish facilities(economy) is given physical and legal persons on the basis of the decision of a regional agency on fastening hunting угодий and рыбохозяйственных the reservoirs (sites), coordinated with the authorized body, contracts on conducting the hunting and fish facilities(economy) concluded between authorized body and the user by fauna.
2. Охотохозяйственные and рыбохозяйственные the organizations acquire the right for withdrawal of objects of fauna within the limits of a quota from the moment of reception of the sanction to using fauna, and other physical and legal persons - after reception of the permit from охотохозяйственных and рыбохозяйственных the

organizations or the conclusion of the contract with them on hunting or fishery.

3. At expiry of the term of fastening hunting угодий and рыбохозяйственных reservoirs (sites) for охотохозяйственными and рыбохозяйственными the organizations they have a priority on перезакрепление these territories and water areas.

**Clause(Article) 38. Hunting угодья**

1. Hunting угодья are territories and the water areas being an inhabitancy of kinds of animals, representing object of hunting where are carried out or hunting and conducting the hunting facilities(economy) can be carried out.

2. Reference of territory and water area to hunting угодьям, definition of their border and an establishment corresponding сервитутов are carried out on the basis of results intereconomic охотоустройства and биолого-economic inspection in the order established by the legislation of Republic Kazakhstan.

3. On hunting угодьях the economic activities which have been not connected to use of objects of fauna, should conduct by methods and the ways providing preservation of objects of fauna and environment(Wednesday) of their dwelling.

4. The right of possession, using and the order the grounds and water areas on which are hunting угодья, does not give the right of use kinds of the animals being objects of hunting.

5. Hunting is forbidden:

1) Without the certificate of the hunter;

2) With fire-arms without the permission of law-enforcement bodies on the right of his(its) storage and use;

3) With dogs and ловчими birds without their registration in the order established by the legislation of Republic Kazakhstan;

4) Instruments of getting which application is not stipulated by rules of hunting;

5) In the trade purposes without the contract with охотохозяйственной the organization;

6) In reserve fund hunting угодий if other is not established by the authorized body;

7) On the grounds of settlements, and also adjoining to them territories on the distance which is not providing according to rules hunting safety of application of the hunting fire-arms;

8) On the grounds of the industry, transport, communication(connection), defense without the permission of the authorized body;

9) On the animals who are taking place in disastrous and helpless position (saved from a storm, flooding, a fire, at a ferry through reservoirs, in the ice, exhausted from бескормицы, a waterfowl sitting out on ice-holes);

10) In the amateur (sports) purposes with application авиа-, авто-, vehicles, снегоходной technics(technical equipment) (except for hunting for wolves), маломерных courts with the included engine, devices of night vision, laser целеуказателей, lighting and sound devices;

11) In a condition of alcoholic or narcotic intoxication or an intoxication of other type.

**Clause(Article) 39. Рыбохозяйственные reservoirs (sites)**

1. Рыбохозяйственные reservoirs (sites) - reservoirs (the rivers and the channels equal to them, lakes, water basins, ponds and other internal reservoirs, territorial waters), and also sea waters which are used or can be used for лова fishes and gettings of other water animals or matter for reproduction of their stocks.

2. Рыбохозяйственные reservoirs (sites) on value are subdivided on international, republican and local.

3. To рыбохозяйственным to reservoirs (sites) of the international value the reservoirs located in territory of Republic Kazakhstan and the adjacent states concern.

To рыбохозяйственным to reservoirs (sites) of republican value concern рыбохозяйственные the reservoirs (sites) located in territory of two and more areas.

To рыбохозяйственным to reservoirs to local (sites) all others concern рыбохозяйственные the reservoirs (sites) included in the list, authorized by a regional agency.

4. On рыбохозяйственных reservoirs it is forbidden:

1) To stop to a sailing charter within the limits of forbidden places for fishery, except for stops at settlements, рыбоприемных items(points), for installation of beacons and in case of emergency;

2) To transfer various kinds of instruments лова from one рыбохозяйственных reservoirs (sites) to others without special processing;

3) To open new fishery sites, тони, alloys and плавы in the rivers without the permission of the authorized body;

4) To be on a reservoir or in immediate proximity from him(it) with instruments лова which application is not stipulated by rules of fishery;

5) Storage of a fish on кукунах, emission снулой and a sick fish from прорези and instruments лова in water and a coastal coastal strip;

6) лов, reception, sale and storage of a fish less established by rules of fishery of a trade measure;

7) To plant a natatorial bird on рыбохозяйственных reservoirs (sites) and to make meliorative works for the purposes ондатрового or other craft without the permission of the authorized body;

8) A presence(finding) of motor transport and other mechanical mobile means on рыбохозяйственных reservoirs (sites) of the international and republican value during their ice cover without the coordination with the authorized body, and on рыбохозяйственных reservoirs local (sites) - with a regional agency.

5. Fishery is forbidden:

1) At dams, sluices and bridges, on the channels connecting lakes among themselves and the basic river, bringing channels and taps(removals) of meliorative systems, before устьями the rivers and channels outside of the borders determined by rules of fishery;

2) Instruments лова which application is not stipulated by rules of fishery;

3) In зимовальных holes and places of spawning of fishes;

4) The floating means which not registered and have been not designated by registration numbers in the order, established by the legislation of Republic Kazakhstan;

5) Instruments лова without labels with the instruction(indication) of the name of the organization and parameters of instruments лова according to the sanction to the right лова;

6) ставными instruments лова for extraction sturgeon in the sea and the rivers;

7) In a condition of alcoholic or narcotic intoxication or an intoxication of other type.

**Clause(Article) 40.** The order of fastening hunting угодий and рыбохозяйственных reservoirs (sites)

1. Hunting угодья and рыбохозяйственные reservoirs (sites) are fixed by the decision of a regional agency on a competitive basis.

Competition is carried out(spent) by the commission created by authorized body together with a regional agency, according to rules of carrying out of competition. In the cases established by the legislation of Republic Kazakhstan, competition is carried out(spent) by the commission created by the Government of Republic Kazakhstan.

2. Hunting угодья on the ground areas which are taking place in a private property or in time land tenure of physical and not state legal persons, are assigned by them without carrying out of competition under their application the decision of a regional agency under condition of conformity to their established qualifying requirements and presence of representation of the authorized body.

3. The proprietor of the ground area or the land user is obliged to provide granting сервитута to the interested physical and legal persons.

**Clause(Article) 41.** Use in the economic purposes of the animals who are not concerning to objects of hunting and fishery

Use in the economic purposes of the animals who are not concerning to objects of hunting and fishery, and also their useful properties and products of ability to live is carried out in the order established by authorized body.

**Clause(Article) 42.** Use of animals in the scientific, cultural - educational, educational and aesthetic purposes, including for creation of zoological collections

Use of animals, except for rare and taking place under threat of disappearance, in the scientific, cultural - educational, educational and aesthetic purposes, including for creation of zoological collections, is carried out in the order established by authorized body.

**Clause(Article) 43.** Official bodies and the enterprises in sphere of protection and reproduction of fauna

The government of Republic Kazakhstan creates official bodies for realization of protection of populations of separate kinds of the fauna subject to reduction of number, and the republican state enterprises for artificial cultivation of objects of fauna with a view of preservation of a genofund.

## **Chapter(Head) 8. Regulation of number of animals**

**Clause(Article) 44.** The purposes of regulation of number of animals

Regulation of number of animals is carried out with a view of:

- 1) Public health cares;
- 2) Prevention of diseases agricultural and pets;
- 3) Prevention of damage to economy;
- 4) Preservations of biological balance.

**Clause(Article) 45.** The bases of regulation of number of objects of fauna

The bases of regulation of number of objects of fauna can be:

- 1) Occurrence of threat of infection or disease of the population, agricultural and pets illnesses, which carriers are objects of fauna;
- 2) Occurrence of threat of significant damage to economy;
- 3) Infringement of developed natural balance of fauna in the environment of their dwelling, resulted in reduction of number of his(its) separate kinds and other negative consequences.

**Clause(Article) 46.** The order of regulation of number of animals

The order of regulation of number of animals is defined(determined) by the authorized body as agreed with the authorized state bodies in the field of preservation of the environment and public health services.

### **Chapter(Head) 9. Financing and provision of economic incentives Actions on protection, reproduction and steady use Fauna**

**Clause(Article) 47.** Financing of actions on protection, reproduction and steady use of fauna

1. Financing actions on protection, reproduction and use of fauna due to means of the state budget is carried out according to the budgetary legislation of Republic Kazakhstan.
2. Financing actions on protection and reproduction of fauna on fixed hunting угодьях and рыбохозяйственных reservoirs (sites) is made due to means охотохозяйственных and рыбохозяйственных the organizations.
3. For financing actions on protection and reproduction of fauna public funds can be created according to the legislation of Republic Kazakhstan, and also be involved other sources which have been not forbidden by the legislation of Republic Kazakhstan.

**Clause(Article) 48.** Provision of economic incentives of protection, reproduction and steady use of fauna

Provision of economic incentives (granting of privileges, преференций and the state support) protection, reproduction and steady use of fauna is carried out according to acts of Republic Kazakhstan.

### **Chapter(Head) 10. The control over protection, reproduction and Uses of fauna**

**Clause(Article) 49.** The state control over protection, reproduction and use of fauna

1. The state control over protection, reproduction and use of fauna is carried out with the purpose of observance by physical and legal persons of the order established by the legislation of Republic Kazakhstan, using fauna, rules of conducting the hunting, fish facilities(economy), hunting, fishery, and also other rules and the norms stipulated by the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna.
2. The state control over protection, reproduction and use of fauna carry out the authorized body and his(its) territorial bodies.

**Clause(Article) 50.** Objects of the state control over protection, reproduction and use of fauna

Objects of the state control over protection, reproduction and use of fauna are:

- 1) Fauna and environment(Wednesday) of his(its) dwelling;
- 2) Conditions of the maintenance(contents) of objects of fauna in bondage and полувольных conditions;
- 3) Instruments of getting of fauna;
- 4) Extracted production of fauna;
- 5) The documentation confirming the right of use by fauna (the certificate of the hunter, the contract and the sanction to using fauna, the permit, trade magazine);

- 6) Activity on protection, reproduction and use of fauna;
- 7) The normative documentation in the field of protection, reproduction and uses of fauna;
- 8) The activity influencing fauna and environment(Wednesday) of his(its) dwelling.

**Clause(Article) 51.** Officials of the representative and the territorial bodies, carrying out the state control over protection, reproduction and use of fauna

1. The head of the authorized body is on a post simultaneously the Main state inspector on protection of fauna of Republic Kazakhstan.

2. The deputy heads of the authorized body knowing questions of regulation and the control over protection, reproduction and use of fauna, are on a post simultaneously assistants to the Main state inspector on protection of fauna of Republic Kazakhstan.

3. The head of territorial body is on a post simultaneously the main state inspector on protection of fauna of corresponding area.

4. The deputy heads of territorial body knowing questions of regulation and the control over protection, reproduction and use of fauna, are on a post simultaneously main state inspectors on protection of fauna of corresponding area.

5. Heads of structural divisions of the representative and the territorial bodies, regulations knowing questions and the control over protection, reproduction and use of fauna, are on a post simultaneously the senior state inspectors on protection of fauna of Republic Kazakhstan of corresponding area, and the experts knowing questions of regulation and the control over protection, reproduction and use of fauna, the state inspectors on protection of fauna of Republic Kazakhstan of corresponding area.

**Clause(Article) 52.** Rights and duties of officials of the representative and the territorial bodies which are carrying out the state control over protection, reproduction and use of fauna

1. Officials of the representative and the territorial bodies, carrying out the state control over protection, reproduction and use of fauna, have the right:

1) Free to visit(attend) (after presentation of the business card) in the order established by the legislation of Republic Kazakhstan, objects of the state control, over protection, reproduction and use of fauna for checks of observance of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna, and also reception of the information on activity of users by fauna;

2) To issue certificates(acts) within the limits of the powers given by the present Law;

3) To transfer materials of checks in law enforcement bodies for acceptance of the remedial decision;

4) At revealing infringements of the legislation of Republic Kazakhstan in the field of protection, reproduction and uses of fauna to stop activity or to make the offer on prohibition of activity of users by fauna in the order established by the legislation of Republic Kazakhstan;

5) To define(determine) the sizes of the harm caused as a result of infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna, and on the basis of it to show to guilty persons of the claim about voluntary compensation of this harm or to sue in court;

6) To consider(examine) according to [the Code](#) of Republic Kazakhstan about administrative offences of an affair about administrative offences in the field of protection, reproduction and use of fauna;

7) To stop transport and floating means in territories hunting угодий, рыбохозяйственных reservoirs (sites) and особоохраняемых natural territories and at departure them, to make their examination;

8) To withdraw the forbidden kinds of instruments of getting of objects of fauna for their storage before decision-making by court;

9) To withdraw illegally extracted objects of fauna and products of their ability to live in the order established by the legislation of Republic Kazakhstan;

10) To withdraw the fire-arms used with infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna, for time storage before removal of the decision by court;

11) On storage, carrying and application of special means and service fire-arms in the order established by the legislation of Republic Kazakhstan.

2. Officials of the representative and the territorial bodies, carrying out the state control over protection, reproduction and use of fauna, are obliged to carry out the control for:

1) Observance of rules of conducting the hunting, fish facilities(economy);

2) Observance of rules of hunting and fishery;

3) Performance of treaty provisions by physical and legal persons on conducting the hunting and fish facilities(economy);

4) Observance about the maintenance(contents) of animals in bondage or полувольных conditions, and also

zoological collections;

5) Observance of the established restrictions and interdictions on using fauna;

6) Performance of actions on protection, reproduction and use of fauna;

7) Observance of the procedure интродукции and hybridizations of animals;

8) Observance of specifications in the field of protection, reproduction and use of fauna;

9) Performance of other requirements of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna.

3. Officials of the representative and the territorial bodies, carrying out the state control over protection, reproduction and use of fauna, are provided with uniform (without порог).

**Clause(Article) 53.** Certificates(acts) of officials of the representative and the territorial bodies which are carrying out the state control over protection, reproduction and use of fauna

1. With a view of acceptance of legal measures of influence by results of the state control over the established infringements of requirements of the legislation of Republic Kazakhstan over protection, reproduction and use of fauna by officials of the representative and the territorial bodies, carrying out the state control over protection, reproduction and use of fauna, the following certificates(acts) are issued:

1) The report on administrative offences;

2) The instruction:

About elimination of infringements of requirements of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna;

About prohibition or stay of economic activities of physical and legal persons without a judgement for the term of no more than three days with obligatory presentation in the specified term of the statement of claim in court. Thus the certificate(act) about prohibition or stay of activity operates before elimination of the revealed infringements or adjudication;

3) The decision:

About attraction of guilty persons to the administrative responsibility in case of infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna;

About withdrawal of the fire-arms used with infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of the fauna, the forbidden instruments of getting and illegally extracted objects of fauna and their production for time storage before adjudication.

2. Certificates(Acts) of officials of the representative and the territorial bodies which are carrying out the state control over protection, reproduction and use of fauna, are obligatory for execution(performance) by physical and legal persons.

**Clause(Article) 54.** Legal and social protection of officials of the representative and the territorial bodies which are carrying out the state control over protection, reproduction and use of fauna

Officials of the representative and the territorial bodies, carrying out the state control over protection, reproduction and use of fauna, are subject legal and social protection according to the legislation of Republic Kazakhstan.

**Clause(Article) 55.** The state protection of fauna

1. The state protection of fauna of Republic Kazakhstan (further - the state protection of fauna) will consist of workers of official bodies on protection of the fauna, knowing questions of protection, reproduction and use of fauna.

2. For performance of the duties assigned to it(her) the right is given the state protection of fauna:

1) To check at physical and legal persons documents on the right of hunting and (or) fisheries;

2) To make reports on administrative offences in the field of protection, reproduction and uses of fauna according to the Code of Republic Kazakhstan about administrative offences;

3) To detain and deliver in law enforcement bodies of the persons who have made offences in the field of protection, reproduction and use of fauna;

4) To make according to the legislation of Republic Kazakhstan examination of vehicles, other objects and places, and if necessary - personal inspection of the detained persons;

5) To withdraw at physical and legal persons the fire-arms used with infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of the fauna, illegally extracted production of hunting and the fishery, the forbidden kinds of instruments of getting and to solve the problem on their further

accessory(belonging) in the order established by the legislation of Republic Kazakhstan;

6) On carrying of uniform and a fire-arms in the order established by the legislation of Republic Kazakhstan.

3. The state protection of fauna is obliged:

1) To prevent and stop offences in the field of protection, reproduction and uses of fauna;

2) To direct in authorized and law enforcement bodies, court the information, claim requirements and other materials on the facts of infringements of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna.

4. To officials of the state protection of fauna storage, carrying and application of special means and the service weapon in the order established by the legislation of Republic Kazakhstan are resolved.

5. Officials of the state protection of fauna in the order established by the legislation of Republic Kazakhstan, are provided with uniform (without погон) and the service weapon.

6. Activity of the state protection of fauna is defined(determined) by Regulations about to the state protection of the fauna, the authorized Government of Republic Kazakhstan.

**Clause(Article) 56.** Industrial inspection on protection, reproduction and use of fauna

1. Industrial inspection on protection, reproduction and use of fauna - activity егерской services охотохозяйственных and рыбохозяйственных the organizations, protection of fauna carrying out function on fixed hunting угодьях and рыбохозяйственных reservoirs (sites).

2. Of the huntsman have the right according to [the Code](#) of Republic Kazakhstan about administrative offences to make reports on administrative offences for obligatory subsequent transfer to their state inspectors on protection of fauna or in the authorized body.

3. The huntsman are obliged to provide protection of fauna on fixed hunting угодьях and рыбохозяйственных reservoirs (sites).

**Clause(Article) 57.** Public control in the field of protection, reproduction and uses of fauna

Public control in the field of protection, reproduction and uses of fauna is carried out by public associations according to the legislation of Republic Kazakhstan.

## **Chapter(Head) 11. Final provisions**

**Clause(Article) 58.** The responsibility for infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and uses of fauna

The persons guilty of infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna, bear the responsibility according to [laws of Republic Kazakhstan](#).

**Clause(Article) 59.** The resolution of disputes in the field of protection, reproduction and uses of fauna

The disputes arising in the field of protection, reproduction and use of fauna, are resolved in the order established by the legislation of Republic Kazakhstan.

**Clause(Article) 60.** The international cooperation in the field of protection, reproduction and uses of fauna

The international cooperation in the field of protection, reproduction and uses of fauna is carried out according to the legislation of Republic Kazakhstan and the international contracts.

**Clause(Article) 61.** The order of introduction in action of the present(true) Law

1. The present(true) Law is commissioned from the date of his(its) official [publication](#).

2. To recognize become invalid:

[The law](#) of Republic Kazakhstan from October, 21, 1993 " About protection, reproduction and use of fauna " (Sheets of the Supreme Soviet of Republic Kazakhstan, 1993, N 18, an item 439; Sheets of Parliament of Republic Kazakhstan, 1999, N 11, an item 357; 2001, N 3, an item 20; N 24, an item 338);

[The decision](#) of the Supreme Soviet of Republic Kazakhstan from October, 21, 1993 " About the order of introduction in action of the Law of Republic Kazakhstan " About protection, reproduction and use of fauna " (Sheets of the Supreme Soviet of Republic Kazakhstan, 1993, N 18, an item 440).

